



General Assembly

January Session, 2009

**Governor's Bill No. 840**

LCO No. 3069

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Referred to Committee on Government Administration and Elections

Introduced by:

SEN. MCKINNEY, 28<sup>th</sup> Dist.

REP. CAFERO, 142<sup>nd</sup> Dist.

***AN ACT CONCERNING THE ELIMINATION OF THE OFFICE OF CONSUMER COUNSEL, THE OFFICE OF THE HEALTHCARE ADVOCATE, THE OFFICE OF OMBUDSMAN FOR PROPERTY RIGHTS AND CERTAIN LEGISLATIVE COMMISSIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4-5 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
4 means Secretary of the Office of Policy and Management,  
5 Commissioner of Administrative Services, Commissioner of Revenue  
6 Services, Banking Commissioner, Commissioner of Children and  
7 Families, Commissioner of Consumer Protection, Commissioner of  
8 Correction, Commissioner of Economic and Community Development,  
9 State Board of Education, Commissioner of Emergency Management  
10 and Homeland Security, Commissioner of Environmental Protection,  
11 Commissioner of Agriculture, Commissioner of Public Health,  
12 Insurance Commissioner, Labor Commissioner, Liquor Control

13 Commission, Commissioner of Mental Health and Addiction Services,  
14 Commissioner of Public Safety, Commissioner of Social Services,  
15 Commissioner of Developmental Services, Commissioner of Motor  
16 Vehicles, Commissioner of Transportation, Commissioner of Public  
17 Works, Commissioner of Veterans' Affairs, Commissioner of Health  
18 Care Access, Chief Information Officer, the chairperson of the Public  
19 Utilities Control Authority, the executive director of the Board of  
20 Education and Services for the Blind, [the executive director of the  
21 Connecticut Commission on Culture and Tourism, the Ombudsman  
22 for Property Rights] and the executive director of the Office of Military  
23 Affairs. As used in sections 4-6 and 4-7, "department head" also means  
24 the Commissioner of Education.

25 Sec. 2. (NEW) (*Effective July 1, 2009*) On and after July 1, 2009, the  
26 Attorney General shall assume all responsibilities of the Consumer  
27 Counsel pursuant to any provision of the general statutes. The Office  
28 of the Attorney General shall constitute a successor agency to the  
29 Office of Consumer Counsel, in accordance with the provisions of  
30 sections 4-38d and 4-39 of the general statutes.

31 Sec. 3. (NEW) (*Effective July 1, 2009*) (a) The Attorney General shall  
32 act as the advocate for consumer interests in all matters which may  
33 affect Connecticut consumers with respect to public service companies,  
34 electric suppliers and certified telecommunications providers. The  
35 Attorney General is authorized to appear in and participate in any  
36 regulatory or judicial proceedings, federal or state, in which such  
37 interests of Connecticut consumers may be involved, or in which  
38 matters affecting utility services rendered or to be rendered in this  
39 state may be involved. The Office of the Attorney General shall be a  
40 party to each contested case before the Department of Public Utility  
41 Control and shall participate in such proceedings to the extent it deems  
42 necessary. The Office of the Attorney General may appeal from a  
43 decision, order or authorization in any such state regulatory  
44 proceeding notwithstanding its failure to appear or participate in said  
45 proceeding.

46 (b) Except as prohibited by the provisions of section 4-181 of the  
47 general statutes, the Office of the Attorney General shall: (1) Have  
48 access to the records of the Public Utilities Control Authority and the  
49 Department of Public Utility Control, (2) be entitled to call upon the  
50 assistance of the authority's and the department's experts, and (3) have  
51 the benefit of all other facilities or information of the authority or  
52 department in carrying out the duties of the Office of the Attorney  
53 General, except for such internal documents, information or data that  
54 are not available to parties to the authority's proceedings.

55 Sec. 4. Subsection (c) of section 1-84b of the general statutes is  
56 repealed and the following is substituted in lieu thereof (*Effective July*  
57 *1, 2009*):

58 (c) The provisions of this subsection apply to present or former  
59 executive branch public officials or state employees who hold or  
60 formerly held positions which involve significant decision-making or  
61 supervisory responsibility and are designated as such by the Office of  
62 State Ethics in consultation with the agency concerned except that such  
63 provisions shall not apply to members or former members of the  
64 boards or commissions who serve ex officio, who are required by  
65 statute to represent the regulated industry or who are permitted by  
66 statute to have a past or present affiliation with the regulated industry.  
67 Designation of positions subject to the provisions of this subsection  
68 shall be by regulations adopted by the Citizen's Ethics Advisory Board  
69 in accordance with chapter 54. As used in this subsection, "agency"  
70 means the Office of Health Care Access, the Connecticut Siting  
71 Council, the Department of Banking, the Insurance Department, the  
72 Department of Public Safety, the office within the Department of  
73 Consumer Protection that carries out the duties and responsibilities of  
74 sections 30-2 to 30-68m, inclusive, the Department of Public Utility  
75 Control, [including the Office of Consumer Counsel,] the Division of  
76 Special Revenue and the Gaming Policy Board and the term  
77 "employment" means professional services or other services rendered  
78 as an employee or as an independent contractor.

79 Sec. 5. Subsection (d) of section 4d-2 of the general statutes is  
80 repealed and the following is substituted in lieu thereof (*Effective July*  
81 *1, 2009*):

82 (d) The Department of Information Technology shall approve or  
83 disapprove a state agency request or proposed contract under  
84 subdivision (4) or (5) of subsection (c) of this section no later than  
85 seven business days after receipt of the request or proposed contract  
86 and any necessary supporting information. If the Department of  
87 Information Technology does not approve or disapprove the request  
88 or proposed contract by the end of such seven-day period, the request  
89 or proposed contract shall be deemed to have been approved. The  
90 provisions of said subdivision (5) shall not apply to telecommunication  
91 consultants retained by the Department of Public Utility Control [or  
92 the Office of Consumer Counsel] in connection with  
93 telecommunication proceedings of said department.

94 Sec. 6. Section 16-6a of the general statutes is repealed and the  
95 following is substituted in lieu thereof (*Effective July 1, 2009*):

96 (a) The Department of Public Utility Control and the [Office of  
97 Consumer Counsel] Attorney General are authorized to participate in  
98 proceedings before agencies of the federal government and the federal  
99 courts on matters affecting utility services rendered or to be rendered  
100 in this state.

101 (b) For any proceeding before the Federal Energy Regulatory  
102 Commission, the United States Department of Energy or the United  
103 States Nuclear Regulatory Commission, or appeal thereof, the  
104 Attorney General, upon request of the department, may retain outside  
105 legal counsel in accordance with section 3-125 to participate in such  
106 proceedings on behalf of the department. All reasonable and proper  
107 expenses of such outside legal counsel shall be borne by the public  
108 service companies, certified telecommunications providers, electric  
109 suppliers or gas registrants that are affected by the decisions of such  
110 proceedings and shall be paid at such times and in such manner as the

111 department directs, provided such expenses shall be apportioned in  
112 proportion to the revenues of each affected entity as reported to the  
113 department for purposes of section 16-49, as amended by this act, for  
114 the most recent period, and provided further such expenses shall not  
115 exceed two hundred fifty thousand dollars per proceeding, including  
116 any appeals thereof, in any calendar year unless the department finds  
117 good cause for exceeding the limit and the affected entities have an  
118 opportunity, after reasonable notice, to comment on the proposed  
119 overage. All such legal expenses shall be recognized by the department  
120 as proper business expenses of the affected entities for rate-making  
121 purposes, as provided in section 16-19e, if applicable.

122 (c) For any proceeding before the Federal Energy Regulatory  
123 Commission, the United States Department of Energy, the United  
124 States Nuclear Regulatory Commission, the Securities and Exchange  
125 Commission, the Federal Trade Commission, the United States  
126 Department of Justice or the Federal Communications Commission, or  
127 appeal thereof, the Attorney General [, upon request of the Office of  
128 Consumer Counsel,] may retain outside legal counsel in accordance  
129 with section 3-125 to participate in such proceedings on behalf of the  
130 office, provided the work performed on behalf of the office shall not  
131 include lobbying activities, as defined in 2 USC 1602. All reasonable  
132 and proper expenses of such outside legal counsel shall be borne by  
133 the public service companies, certified telecommunications providers,  
134 electric suppliers or gas registrants that are affected by the decisions of  
135 such proceedings and shall be paid at such times and in such manner  
136 as the office directs, provided such expenses shall be apportioned in  
137 proportion to the revenues of each affected entity as reported to the  
138 department for purposes of section 16-49, as amended by this act, for  
139 the most recent period, and provided further such expenses shall not  
140 exceed two hundred fifty thousand dollars, including any appeals  
141 thereof, in any calendar year. The Department of Public Utility Control  
142 shall recognize all such legal expenses as proper business expenses of  
143 the affected entities for rate-making purposes, as provided in section  
144 16-19e, if applicable.

145 Sec. 7. Section 16-18a of the general statutes is repealed and the  
146 following is substituted in lieu thereof (*Effective July 1, 2009*):

147 (a) In the performance of their duties the Department of Public  
148 Utility Control and the [Office of Consumer Counsel] Attorney  
149 General may retain consultants to assist their staffs in proceedings  
150 before the department by providing expertise in areas in which staff  
151 expertise does not currently exist or when necessary to supplement  
152 existing staff expertise. In any case where the department or [Office of  
153 Consumer Counsel] Attorney General determines that the services of a  
154 consultant are necessary or desirable, the department shall (1) allow  
155 opportunity for the parties and participants to the proceeding for  
156 which the services of a consultant are being considered to comment  
157 regarding the necessity or desirability of such services, (2) upon the  
158 request of a party or participant to the proceeding for which the  
159 services of a consultant are being considered, hold a hearing, and (3)  
160 limit the reasonable and proper expenses for such services to not more  
161 than two hundred thousand dollars for each agency per proceeding  
162 involving a public service company, telecommunications company,  
163 electric supplier or person seeking certification to provide  
164 telecommunications services pursuant to chapter 283, with more than  
165 fifteen thousand customers, and to not more than fifty thousand  
166 dollars for each agency per proceeding involving such a company,  
167 electric supplier or person with less than fifteen thousand customers,  
168 provided the department or the [Office of Consumer Counsel]  
169 Attorney General may exceed such limits for good cause. In the case of  
170 multiple proceedings conducted to implement the provisions of this  
171 section and sections 16-1, 16-19, 16-19e, 16-22, 16-247a to 16-247c,  
172 inclusive, 16-247e to 16-247i, inclusive, 16-247k and subsection (e) of  
173 16-331, the department or the [Office of Consumer Counsel] Attorney  
174 General may exceed such limits, but the total amount for all such  
175 proceedings shall not exceed the aggregate amount which would be  
176 available pursuant to this section. All reasonable and proper expenses,  
177 as defined in subdivision (3) of this section, shall be borne by the  
178 affected company, electric supplier or person and shall be paid by such

179 company, electric supplier or person at such times and in such manner  
180 as the department or the [Office of Consumer Counsel] Attorney  
181 General directs. All reasonable and proper costs and expenses, as  
182 defined in subdivision (3) of this section, shall be recognized by the  
183 department for all purposes as proper business expenses of the  
184 affected company, electric supplier or person. The providers of  
185 consultant services shall be selected by the department or the [Office of  
186 Consumer Counsel] Attorney General and shall submit written  
187 findings and recommendations to the department or the [Office of  
188 Consumer Counsel] Attorney General, as the case may be, which shall  
189 be made part of the public record.

190 (b) The Department of Public Utility Control may retain consultants  
191 to assist in developing and implementing the public education  
192 outreach program pursuant to section 16-244d, as amended by this act,  
193 provided the authorization to retain such consultants shall expire  
194 December 31, 2005, and provided further the reasonable and proper  
195 expenses for such services shall not exceed three hundred fifty  
196 thousand dollars in the aggregate. All reasonable and proper expenses  
197 accrued prior to January 1, 2000, shall be borne by electric companies  
198 or electric distribution companies, as the case may be. After the  
199 systems benefits charge begins to be collected on January 1, 2000,  
200 pursuant to section 16-245l, such companies shall recover those  
201 expenses that have been accrued by the companies up until said date  
202 through the systems benefits charge. On and after January 1, 2000, all  
203 reasonable and proper expenses shall be assessed directly through the  
204 systems benefits charge.

205 (c) Notwithstanding any provision of the general statutes, the  
206 department and the [Office of Consumer Counsel] Attorney General  
207 shall not retain any consultant under subsection (a) of this section in  
208 connection with any proceeding involving telecommunications if such  
209 consultant, at the time the consultant would be retained, is serving as a  
210 consultant to a certified telecommunications provider or a telephone  
211 company that would be affected by such proceeding, unless each party

212 and intervenor to such proceeding agrees in writing to waive the  
213 provisions of this subsection.

214 Sec. 8. Subsection (c) of section 16-19d of the general statutes is  
215 repealed and the following is substituted in lieu thereof (*Effective July*  
216 *1, 2009*):

217 (c) A public service company shall make application to the  
218 department for determination that equipment meets the requirements  
219 of subdivision (4) of subsection (b) of this section. The department  
220 shall, to the extent practicable, make such determination within one  
221 hundred twenty days of such filing. All reasonable and proper  
222 expenses, required by the department and the [Office of Consumer  
223 Counsel] Attorney General, including, but not limited to, the costs  
224 associated with analysis, testing, evaluation and testimony at a public  
225 hearing or other proceeding, shall be borne by the company and shall  
226 be paid by the company at such times and in such manner as the  
227 department directs.

228 Sec. 9. Subsection (a) of section 16-19cc of the general statutes is  
229 repealed and the following is substituted in lieu thereof (*Effective July*  
230 *1, 2009*):

231 (a) Every electric public service company, as defined by section 16-1,  
232 which owns a five per cent or larger share of a nuclear generating  
233 facility shall file with the Department of Public Utility Control and the  
234 [Office of Consumer Counsel] Attorney General, semiannually, on  
235 April first and October first, a report on the projected availability,  
236 maintenance, refueling and shutdown schedules, for the next twelve-  
237 month period, of all generating facilities over one hundred megawatts  
238 of capacity of each electric public service company and any generating  
239 facilities which are part of the New England Power Pool.

240 Sec. 10. Subsection (d) of section 16-19kk of the general statutes is  
241 repealed and the following is substituted in lieu thereof (*Effective July*  
242 *1, 2009*):



243 (d) In any proceeding before the department in which a company  
244 seeks beneficial rate treatment pursuant to this section, the [Office of  
245 Consumer Counsel] Attorney General may retain independent experts  
246 to provide analysis, evaluation and testimony to address the issue of  
247 the appropriateness of such beneficial treatment under consideration  
248 in the proceeding, and all reasonable and proper expenses, to provide  
249 such analysis, evaluation and testimony, to a maximum of fifty  
250 thousand dollars per proceeding, shall be paid by the company and  
251 shall be proper rate-making expenses.

252 Sec. 11. Section 16-25a of the general statutes is repealed and the  
253 following is substituted in lieu thereof (*Effective July 1, 2009*):

254 If the [Office of Consumer Counsel] Attorney General files a petition  
255 with the Department of Public Utility Control concerning matters  
256 affecting utility services for consumers in the state, the department  
257 shall, not later than thirty days after receiving the petition, notify the  
258 [Office of Consumer Counsel] Attorney General whether it will hold a  
259 hearing on the petition. If the department so notifies the [Office of  
260 Consumer Counsel] Attorney General, it shall hold the hearing not  
261 later than ninety days after providing such notice.

262 Sec. 12. Section 16-48a of the general statutes is repealed and the  
263 following is substituted in lieu thereof (*Effective July 1, 2009*):

264 There is established a fund to be known as the ["Consumer Counsel  
265 and Public Utility Control Fund"] "Attorney General and Public Utility  
266 Control Fund". The fund may contain any moneys required by law to  
267 be deposited in the fund and shall be held by the Treasurer separate  
268 and apart from all other moneys, funds and accounts. The interest  
269 derived from the investment of the fund shall be credited to the fund.  
270 Amounts in the fund may be expended only pursuant to appropriation  
271 by the General Assembly. Any balance remaining in the fund at the  
272 end of any fiscal year shall be carried forward in the fund for the fiscal  
273 year next succeeding.

274       Sec. 13. Section 16-49 of the general statutes is repealed and the  
275       following is substituted in lieu thereof (*Effective July 1, 2009*):

276       (a) As used in this section:

277       (1) "Company" means (A) any public service company other than a  
278       telephone company, that had more than one hundred thousand dollars  
279       of gross revenues in the state in the calendar year preceding the  
280       assessment year under this section, except any such company not  
281       providing service to retail customers in the state, (B) any telephone  
282       company that had more than one hundred thousand dollars of gross  
283       revenues in the state from telecommunications services in the calendar  
284       year preceding the assessment year under this section, except any such  
285       company not providing service to retail customers in the state, (C) any  
286       certified telecommunications provider that had more than one  
287       hundred thousand dollars of gross revenues in the state from  
288       telecommunications services in the calendar year preceding the  
289       assessment year under this section, except any such certified  
290       telecommunications provider not providing service to retail customers  
291       in the state, or (D) any electric supplier that had more than one  
292       hundred thousand dollars of gross revenues in the state in the calendar  
293       year preceding the assessment year under this section, except any such  
294       supplier not providing electric generation services to retail customers  
295       in the state;

296       (2) "Telecommunications services" means (A) in the case of  
297       telecommunications services provided by a telephone company, any  
298       service provided pursuant to a tariff approved by the department  
299       other than wholesale services and resold access and interconnections  
300       services, and (B) in the case of telecommunications services provided  
301       by a certified telecommunications provider other than a telephone  
302       company, any service provided pursuant to a tariff approved by the  
303       department and pursuant to a certificate of public convenience and  
304       necessity; and

305       (3) "Fiscal year" means the period beginning July first and ending

306 June thirtieth.

307 (b) On or before July 15, 1999, and on or before May first, annually  
308 thereafter, each company shall report its intrastate gross revenues of  
309 the preceding calendar year to the department, which amount shall be  
310 subject to audit by the department. For each fiscal year, each company  
311 shall pay the Department of Public Utility Control the company's share  
312 of all expenses of the department and the [Office of Consumer  
313 Counsel] Attorney General for such fiscal year. On or before  
314 September first, annually, the department shall give to each company a  
315 statement which shall include: (1) The amount appropriated to the  
316 department and the [Office of Consumer Counsel] Attorney General  
317 for the fiscal year beginning July first of the same year; (2) the total  
318 gross revenues of all companies; and (3) the proposed assessment  
319 against the company for the fiscal year beginning on July first of the  
320 same year, adjusted to reflect the estimated payment required under  
321 subdivision (1) of subsection (c) of this section. Such proposed  
322 assessment shall be calculated by multiplying the company's  
323 percentage share of the total gross revenues as specified in subdivision  
324 (2) of this subsection by the total revenue appropriated to the  
325 department and the [Office of Consumer Counsel] Attorney General as  
326 specified in subdivision (1) of this subsection.

327 (c) Each company shall pay the department: (1) On or before June  
328 thirtieth, annually, an estimated payment for the expenses of the  
329 following year equal to twenty-five per cent of its assessment for the  
330 fiscal year ending on such June thirtieth, (2) on or before September  
331 thirtieth, annually, twenty-five per cent of its proposed assessment,  
332 adjusted to reflect any credit or amount due under the recalculated  
333 assessment for the preceding fiscal year, as determined by the  
334 department under subsection (d) of this section, provided if the  
335 company files an objection in accordance with subsection (e) of this  
336 section, it may withhold the amount stated in its objection, and (3) on  
337 or before the following December thirty-first and March thirty-first,  
338 annually, the remaining fifty per cent of its proposed assessment in

339 two equal installments.

340 (d) Immediately following the close of each fiscal year, the  
341 department shall recalculate the proposed assessment of each  
342 company, based on the expenses, as determined by the Comptroller, of  
343 the department and the [Office of Consumer Counsel] Attorney  
344 General for such fiscal year. On or before September first, annually, the  
345 department shall give to each company a statement showing the  
346 difference between its recalculated assessment and the amount  
347 previously paid by the company.

348 (e) Any company may object to a proposed or recalculated  
349 assessment by filing with the department, not later than September  
350 fifteenth of the year of said assessment, a petition stating the amount of  
351 the proposed or recalculated assessment to which it objects and the  
352 grounds upon which it claims such assessment is excessive, erroneous,  
353 unlawful or invalid. After a company has filed a petition, the  
354 department shall hold a hearing. After reviewing the company's  
355 petition and testimony, if any, the department shall issue an order in  
356 accordance with its findings. The company shall pay the department  
357 the amount indicated in the order not later than thirty days after the  
358 date of the order.

359 (f) The department shall remit all payments received under this  
360 section to the State Treasurer for deposit in the [Consumer Counsel  
361 and] Public Utility Control Fund established under section 16-48a, as  
362 amended by this act. Such funds shall be accounted for as expenses  
363 recovered from public service companies and certified  
364 telecommunications providers. All payments made under this section  
365 shall be in addition to any taxes payable to the state under chapters  
366 211, 212, 212a and 219.

367 (g) Any assessment unpaid on the due date or any portion of an  
368 assessment withheld after the due date under subsection (c) of this  
369 section shall be subject to interest at the rate of one and one-fourth per  
370 cent per month or fraction thereof, or fifty dollars, whichever is

371 greater.

372 (h) Any company that fails to report in accordance with this section  
373 shall be subject to civil penalties in accordance with section 16-41.

374 Sec. 14. Section 16-243r of the general statutes is repealed and the  
375 following is substituted in lieu thereof (*Effective July 1, 2009*):

376 The provisions of sections 7-233y, 16-1, 16-19ss, 16-32f, 16-50i, 16-  
377 50k, 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this  
378 act, 16-244e, 16-245d, 16-245m, as amended by this act, 16-245n, as  
379 amended by this act, 16-245z and 16-262i and section 21 of public act  
380 05-1 of the June special session, apply to new customer-side  
381 distributed resources and grid-side distributed resources developed in  
382 this state that add electric capacity on and after January 1, 2006, and  
383 shall also apply to customer-side distributed resources and grid-side  
384 distributed resources developed in this state before January 1, 2007,  
385 that (1) have undergone upgrades that increase the resource's thermal  
386 efficiency operating level by no fewer than ten percentage points or,  
387 for resources that have a thermal efficiency level of at least seventy per  
388 cent, have undergone upgrades that increase the resource's turbine  
389 heat rate by no fewer than five percentage points and increase the  
390 electrical output of the resource by no fewer than ten percentage  
391 points, (2) operate at a thermal efficiency level of at least fifty per cent,  
392 and (3) add electric capacity in this state on or after January 1, 2007,  
393 provided such measure is in accordance with the provisions of said  
394 sections 7-233y, 16-1, 16-19ss, 16-32f, 16-50i, 16-50k, 16-50x, 16-243i to  
395 16-243q, inclusive, 16-244c, 16-244e, 16-245d, 16-245m, 16-245n, 16-245z  
396 and 16-262i and section 21 of public act 05-1 of the June special  
397 session\*. On or before January 1, 2009, the Department of Public Utility  
398 Control, in consultation with the [Office of Consumer Counsel]  
399 Attorney General, shall report to the joint standing committee of the  
400 General Assembly having cognizance of matters relating to energy  
401 regarding the cost-effectiveness of programs pursuant to this section.

402 Sec. 15. Section 16-244c of the general statutes is repealed and the

403 following is substituted in lieu thereof (*Effective July 1, 2009*):

404 (a) (1) On and after January 1, 2000, each electric distribution  
405 company shall make available to all customers in its service area, the  
406 provision of electric generation and distribution services through a  
407 standard offer. Under the standard offer, a customer shall receive  
408 electric services at a rate established by the Department of Public  
409 Utility Control pursuant to subdivision (2) of this subsection. Each  
410 electric distribution company shall provide electric generation services  
411 in accordance with such option to any customer who affirmatively  
412 chooses to receive electric generation services pursuant to the standard  
413 offer or does not or is unable to arrange for or maintain electric  
414 generation services with an electric supplier. The standard offer shall  
415 automatically terminate on January 1, 2004. While providing electric  
416 generation services under the standard offer, an electric distribution  
417 company may provide electric generation services through any of its  
418 generation entities or affiliates, provided such entities or affiliates are  
419 licensed pursuant to section 16-245.

420 (2) Not later than October 1, 1999, the Department of Public Utility  
421 Control shall establish the standard offer for each electric distribution  
422 company, effective January 1, 2000, which shall allocate the costs of  
423 such company among electric transmission and distribution services,  
424 electric generation services, the competitive transition assessment and  
425 the systems benefits charge. The department shall hold a hearing that  
426 shall be conducted as a contested case in accordance with chapter 54 to  
427 establish the standard offer. The standard offer shall provide that the  
428 total rate charged under the standard offer, including electric  
429 transmission and distribution services, the conservation and load  
430 management program charge described in section 16-245m, as  
431 amended by this act, the renewable energy investment charge  
432 described in section 16-245n, as amended by this act, electric  
433 generation services, the competitive transition assessment and the  
434 systems benefits charge shall be at least ten per cent less than the base  
435 rates, as defined in section 16-244a, in effect on December 31, 1996. The

436 standard offer shall be adjusted to the extent of any increase or  
437 decrease in state taxes attributable to sections 12-264 and 12-265 and  
438 any other increase or decrease in state or federal taxes resulting from a  
439 change in state or federal law and shall continue to be adjusted during  
440 such period pursuant to section 16-19b. Notwithstanding the  
441 provisions of section 16-19b, the provisions of said section 16-19b shall  
442 apply to electric distribution companies. The standard offer may be  
443 adjusted, by an increase or decrease, to the extent approved by the  
444 department, in the event that (A) the revenue requirements of the  
445 company are affected as the result of changes in (i) legislative  
446 enactments other than public act 98-28\*, (ii) administrative  
447 requirements, or (iii) accounting standards occurring after July 1, 1998,  
448 provided such accounting standards are adopted by entities  
449 independent of the company that have authority to issue such  
450 standards, or (B) an electric distribution company incurs extraordinary  
451 and unanticipated expenses required for the provision of safe and  
452 reliable electric service to the extent necessary to provide such service.  
453 Savings attributable to a reduction in taxes shall not be shifted between  
454 customer classes.

455 (3) The price reduction provided in subdivision (2) of this  
456 subsection shall not apply to customers who, on or after July 1, 1998,  
457 are purchasing electric services from an electric company or electric  
458 distribution company, as the case may be, under a special contract or  
459 flexible rate tariff, and the company's filed standard offer tariffs shall  
460 reflect that such customers shall not receive the standard offer price  
461 reduction.

462 (b) (1) (A) On and after January 1, 2004, each electric distribution  
463 company shall make available to all customers in its service area, the  
464 provision of electric generation and distribution services through a  
465 transitional standard offer. Under the transitional standard offer, a  
466 customer shall receive electric services at a rate established by the  
467 Department of Public Utility Control pursuant to subdivision (2) of  
468 this subsection. Each electric distribution company shall provide

469 electric generation services in accordance with such option to any  
470 customer who affirmatively chooses to receive electric generation  
471 services pursuant to the transitional standard offer or does not or is  
472 unable to arrange for or maintain electric generation services with an  
473 electric supplier. The transitional standard offer shall terminate on  
474 December 31, 2006. While providing electric generation services under  
475 the transitional standard offer, an electric distribution company may  
476 provide electric generation services through any of its generation  
477 entities or affiliates, provided such entities or affiliates are licensed  
478 pursuant to section 16-245.

479 (B) The department shall conduct a proceeding to determine  
480 whether a practical, effective, and cost-effective process exists under  
481 which an electric customer, when initiating electric service, may  
482 receive information regarding selecting electric generating services  
483 from a qualified entity. The department shall complete such  
484 proceeding on or before December 1, 2005, and shall implement the  
485 resulting decision on or before March 1, 2006, or on such later date that  
486 the department considers appropriate. An electric distribution  
487 company's costs of participating in the proceeding and implementing  
488 the results of the department's decision shall be recoverable by the  
489 company as generation services costs through an adjustment  
490 mechanism as approved by the department.

491 (2) (A) Not later than December 15, 2003, the Department of Public  
492 Utility Control shall establish the transitional standard offer for each  
493 electric distribution company, effective January 1, 2004.

494 (B) The department shall hold a hearing that shall be conducted as a  
495 contested case in accordance with chapter 54 to establish the  
496 transitional standard offer. The transitional standard offer shall  
497 provide that the total rate charged under the transitional standard  
498 offer, including electric transmission and distribution services, the  
499 conservation and load management program charge described in  
500 section 16-245m, as amended by this act, the renewable energy



501 investment charge described in section 16-245n, as amended by this  
502 act, electric generation services, the competitive transition assessment  
503 and the systems benefits charge, and excluding federally mandated  
504 congestion costs, shall not exceed the base rates, as defined in section  
505 16-244a, in effect on December 31, 1996, excluding any rate reduction  
506 ordered by the department on September 26, 2002.

507 (C) (i) Each electric distribution company shall, on or before January  
508 1, 2004, file with the department an application for an amendment of  
509 rates pursuant to section 16-19, which application shall include a four-  
510 year plan for the provision of electric transmission and distribution  
511 services. The department shall conduct a contested case proceeding  
512 pursuant to sections 16-19 and 16-19e to approve, reject or modify the  
513 application and plan. Upon the approval of such plan, as filed or as  
514 modified by the department, the department shall order that such plan  
515 shall establish the electric transmission and distribution services  
516 component of the transitional standard offer.

517 (ii) Notwithstanding the provisions of this subparagraph, an electric  
518 distribution company that, on or after September 1, 2002, completed a  
519 proceeding pursuant to sections 16-19 and 16-19e, shall not be required  
520 to file an application for an amendment of rates as required by this  
521 subparagraph. The department shall establish the electric transmission  
522 and distribution services component of the transitional standard offer  
523 for any such company equal to the electric transmission and  
524 distribution services component of the standard offer established  
525 pursuant to subsection (a) of this section in effect on July 1, 2003, for  
526 such company. If such electric distribution company applies to the  
527 department, pursuant to section 16-19, for an amendment of its rates  
528 on or before December 31, 2006, the application of the electric  
529 distribution company shall include a four-year plan.

530 (D) The transitional standard offer (i) shall be adjusted to the extent  
531 of any increase or decrease in state taxes attributable to sections 12-264  
532 and 12-265 and any other increase or decrease in state or federal taxes

533 resulting from a change in state or federal law, (ii) shall be adjusted to  
534 provide for the cost of contracts under subdivision (2) of subsection (j)  
535 of this section and the administrative costs for the procurement of such  
536 contracts, and (iii) shall continue to be adjusted during such period  
537 pursuant to section 16-19b. Savings attributable to a reduction in taxes  
538 shall not be shifted between customer classes. Notwithstanding the  
539 provisions of section 16-19b, the provisions of section 16-19b shall  
540 apply to electric distribution companies.

541 (E) The transitional standard offer may be adjusted, by an increase  
542 or decrease, to the extent approved by the department, in the event  
543 that (i) the revenue requirements of the company are affected as the  
544 result of changes in (I) legislative enactments other than public act 03-  
545 135\* or public act 98-28\*, (II) administrative requirements, or (III)  
546 accounting standards adopted after July 1, 2003, provided such  
547 accounting standards are adopted by entities that are independent of  
548 the company and have authority to issue such standards, or (ii) an  
549 electric distribution company incurs extraordinary and unanticipated  
550 expenses required for the provision of safe and reliable electric service  
551 to the extent necessary to provide such service.

552 (3) The price provided in subdivision (2) of this subsection shall not  
553 apply to customers who, on or after July 1, 2003, purchase electric  
554 services from an electric company or electric distribution company, as  
555 the case may be, under a special contract or flexible rate tariff,  
556 provided the company's filed transitional standard offer tariffs shall  
557 reflect that such customers shall not receive the transitional standard  
558 offer price during the term of said contract or tariff.

559 (4) (A) In addition to its costs received pursuant to subsection (h) of  
560 this section, as compensation for providing transitional standard offer  
561 service, each electric distribution company shall receive an amount  
562 equal to five-tenths of one mill per kilowatt hour. Revenues from such  
563 compensation shall not be included in calculating the electric  
564 distribution company's earnings for purposes of, or in determining

565 whether its rates are just and reasonable under, sections 16-19, 16-19a  
566 and 16-19e, including an earnings sharing mechanism. In addition,  
567 each electric distribution company may earn compensation for  
568 mitigating the prices of the contracts for the provision of electric  
569 generation services, as provided in subdivision (2) of this subsection.

570 (B) The department shall conduct a contested case proceeding  
571 pursuant to the provisions of chapter 54 to establish an incentive plan  
572 for the procurement of long-term contracts for transitional standard  
573 offer service by an electric distribution company. The incentive plan  
574 shall be based upon a comparison of the actual average firm full  
575 requirements service contract price for electricity obtained by the  
576 electric distribution company compared to the regional average firm  
577 full requirements service contract price for electricity, adjusted for such  
578 variables as the department deems appropriate, including, but not  
579 limited to, differences in locational marginal pricing. If the actual  
580 average firm full requirements service contract price obtained by the  
581 electric distribution company is less than the actual regional average  
582 firm full requirements service contract price for the previous year, the  
583 department shall split five-tenths of one mill per kilowatt hour equally  
584 between ratepayers and the company. Revenues from such incentive  
585 plan shall not be included in calculating the electric distribution  
586 company's earnings for purposes of, or in determining whether its  
587 rates are just and reasonable under sections 16-19, 16-19a and 16-19e.  
588 The department may, as it deems necessary, retain a third party entity  
589 with expertise in energy procurement to assist with the development  
590 of such incentive plan.

591 (c) (1) On and after January 1, 2007, each electric distribution  
592 company shall provide electric generation services through standard  
593 service to any customer who (A) does not arrange for or is not  
594 receiving electric generation services from an electric supplier, and (B)  
595 does not use a demand meter or has a maximum demand of less than  
596 five hundred kilowatts.

597 (2) Not later than October 1, 2006, and periodically as required by  
598 subdivision (3) of this subsection, but not more often than every  
599 calendar quarter, the Department of Public Utility Control shall  
600 establish the standard service price for such customers pursuant to  
601 subdivision (3) of this subsection. Each electric distribution company  
602 shall recover the actual net costs of procuring and providing electric  
603 generation services pursuant to this subsection, provided such  
604 company mitigates the costs it incurs for the procurement of electric  
605 generation services for customers who are no longer receiving service  
606 pursuant to this subsection.

607 (3) An electric distribution company providing electric generation  
608 services pursuant to this subsection shall mitigate the variation of the  
609 price of the service offered to its customers by procuring electric  
610 generation services contracts in the manner prescribed in a plan  
611 approved by the department. Such plan shall require the procurement  
612 of a portfolio of service contracts sufficient to meet the projected load  
613 of the electric distribution company. Such plan shall require that the  
614 portfolio of service contracts be procured in an overlapping pattern of  
615 fixed periods at such times and in such manner and duration as the  
616 department determines to be most likely to produce just, reasonable  
617 and reasonably stable retail rates while reflecting underlying  
618 wholesale market prices over time. The portfolio of contracts shall be  
619 assembled in such manner as to invite competition; guard against  
620 favoritism, improvidence, extravagance, fraud and corruption; and  
621 secure a reliable electricity supply while avoiding unusual, anomalous  
622 or excessive pricing. The portfolio of contracts procured under such  
623 plan shall be for terms of not less than six months, provided contracts  
624 for shorter periods may be procured under such conditions as the  
625 department shall prescribe to (A) ensure the lowest rates possible for  
626 end-use customers; (B) ensure reliable service under extraordinary  
627 circumstances; and (C) ensure the prudent management of the contract  
628 portfolio. An electric distribution company may receive a bid for an  
629 electric generation services contract from any of its generation entities  
630 or affiliates, provided such generation entity or affiliate submits its bid

631 the business day preceding the first day on which an unaffiliated  
632 electric supplier may submit its bid and further provided the electric  
633 distribution company and the generation entity or affiliate are in  
634 compliance with the code of conduct established in section 16-244h.

635 (4) The department, in consultation with the [Office of Consumer  
636 Counsel] Attorney General, shall retain the services of a third-party  
637 entity with expertise in the area of energy procurement to oversee the  
638 initial development of the request for proposals and the procurement  
639 of contracts by an electric distribution company for the provision of  
640 electric generation services offered pursuant to this subsection. Costs  
641 associated with the retention of such third-party entity shall be  
642 included in the cost of electric generation services that is included in  
643 such price.

644 (5) Each bidder for a standard service contract shall submit its bid to  
645 the electric distribution company and the third-party entity who shall  
646 jointly review the bids and submit an overview of all bids together  
647 with a joint recommendation to the department as to the preferred  
648 bidders. The department may, within ten business days of submission  
649 of the overview, reject the recommendation regarding preferred  
650 bidders. In the event that the department rejects the preferred bids, the  
651 electric distribution company and the third-party entity shall rebid the  
652 service pursuant to this subdivision.

653 (d) (1) Notwithstanding the provisions of this section regarding the  
654 electric generation services component of the transitional standard  
655 offer or the procurement of electric generation services under standard  
656 service, section 16-244h or 16-245o, the Department of Public Utility  
657 Control may, from time to time, direct an electric distribution company  
658 to offer, through an electric supplier or electric suppliers, before  
659 January 1, 2007, one or more alternative transitional standard offer  
660 options or, on or after January 1, 2007, one or more alternative  
661 standard service options. Such alternative options shall include, but  
662 not be limited to, an option that consists of the provision of electric

663 generation services that exceed the renewable portfolio standards  
664 established in section 16-245a and may include an option that utilizes  
665 strategies or technologies that reduce the overall consumption of  
666 electricity of the customer.

667 (2) (A) The department shall develop such alternative option or  
668 options in a contested case conducted in accordance with the  
669 provisions of chapter 54. The department shall determine the terms  
670 and conditions of such alternative option or options, including, but not  
671 limited to, (i) the minimum contract terms, including pricing, length  
672 and termination of the contract, and (ii) the minimum percentage of  
673 electricity derived from Class I or Class II renewable energy sources, if  
674 applicable. The electric distribution company shall, under the  
675 supervision of the department, subsequently conduct a bidding  
676 process in order to solicit electric suppliers to provide such alternative  
677 option or options.

678 (B) The department may reject some or all of the bids received  
679 pursuant to the bidding process.

680 (3) The department may require an electric supplier to provide  
681 forms of assurance to satisfy the department that the contracts  
682 resulting from the bidding process will be fulfilled.

683 (4) An electric supplier who fails to fulfill its contractual obligations  
684 resulting from this subdivision shall be subject to civil penalties, in  
685 accordance with the provisions of section 16-41, or the suspension or  
686 revocation of such supplier's license or a prohibition on the acceptance  
687 of new customers, following a hearing that is conducted as a contested  
688 case, in accordance with the provisions of chapter 54.

689 (e) (1) On and after January 1, 2007, an electric distribution company  
690 shall serve customers that are not eligible to receive standard service  
691 pursuant to subsection (c) of this section as the supplier of last resort.  
692 This subsection shall not apply to customers purchasing power under  
693 contracts entered into pursuant to section 16-19hh.

694 (2) An electric distribution company shall procure electricity at least  
695 every calendar quarter to provide electric generation services to  
696 customers pursuant to this subsection. The Department of Public  
697 Utility Control shall determine a price for such customers that reflects  
698 the full cost of providing the electricity on a monthly basis. Each  
699 electric distribution company shall recover the actual net costs of  
700 procuring and providing electric generation services pursuant to this  
701 subsection, provided such company mitigates the costs it incurs for the  
702 procurement of electric generation services for customers that are no  
703 longer receiving service pursuant to this subsection.

704 (f) On and after January 1, 2000, and until such time the regional  
705 independent system operator implements procedures for the provision  
706 of back-up power to the satisfaction of the Department of Public Utility  
707 Control, each electric distribution company shall provide electric  
708 generation services to any customer who has entered into a service  
709 contract with an electric supplier that fails to provide electric  
710 generation services for reasons other than the customer's failure to pay  
711 for such services. Between January 1, 2000, and December 31, 2006, an  
712 electric distribution company may procure electric generation services  
713 through a competitive bidding process or through any of its generation  
714 entities or affiliates. On and after January 1, 2007, such company shall  
715 procure electric generation services through a competitive bidding  
716 process pursuant to a plan submitted by the electric distribution  
717 company and approved by the department. Such company may  
718 procure electric generation services through any of its generation  
719 entities or affiliates, provided such entity or affiliate is the lowest  
720 qualified bidder and provided further any such entity or affiliate is  
721 licensed pursuant to section 16-245.

722 (g) An electric distribution company is not required to be licensed  
723 pursuant to section 16-245 to provide standard offer electric generation  
724 services in accordance with subsection (a) of this section, transitional  
725 standard offer service pursuant to subsection (b) of this section,  
726 standard service pursuant to subsection (c) of this section, supplier of

727 last resort service pursuant to subsection (e) of this section or back-up  
728 electric generation service pursuant to subsection (f) of this section.

729 (h) The electric distribution company shall be entitled to recover  
730 reasonable costs incurred as a result of providing standard offer  
731 electric generation services pursuant to the provisions of subsection (a)  
732 of this section, transitional standard offer service pursuant to  
733 subsection (b) of this section, standard service pursuant to subsection  
734 (c) of this section or back-up electric generation service pursuant to  
735 subsection (f) of this section. The provisions of this section and section  
736 16-244a shall satisfy the requirements of section 16-19a until January 1,  
737 2007.

738 (i) The Department of Public Utility Control shall establish, by  
739 regulations adopted pursuant to chapter 54, procedures for when and  
740 how a customer is notified that his electric supplier has defaulted and  
741 of the need for the customer to choose a new electric supplier within a  
742 reasonable period of time.

743 (j) (1) Notwithstanding the provisions of subsection (d) of this  
744 section regarding an alternative transitional standard offer option or  
745 an alternative standard service option, an electric distribution  
746 company providing transitional standard offer service, standard  
747 service, supplier of last resort service or back-up electric generation  
748 service in accordance with this section shall contract with its wholesale  
749 suppliers to comply with the renewable portfolio standards. The  
750 Department of Public Utility Control shall annually conduct a  
751 contested case, in accordance with the provisions of chapter 54, in  
752 order to determine whether the electric distribution company's  
753 wholesale suppliers met the renewable portfolio standards during the  
754 preceding year. An electric distribution company shall include a  
755 provision in its contract with each wholesale supplier that requires the  
756 wholesale supplier to pay the electric distribution company an amount  
757 of five and one-half cents per kilowatt hour if the wholesale supplier  
758 fails to comply with the renewable portfolio standards during the



759 subject annual period. The electric distribution company shall  
760 promptly transfer any payment received from the wholesale supplier  
761 for the failure to meet the renewable portfolio standards to the  
762 Renewable Energy Investment Fund for the development of Class I  
763 renewable energy sources. Any payment made pursuant to this section  
764 shall not be considered revenue or income to the electric distribution  
765 company.

766 (2) Notwithstanding the provisions of subsection (d) of this section  
767 regarding an alternative transitional standard offer option or an  
768 alternative standard service option, an electric distribution company  
769 providing transitional standard offer service, standard service,  
770 supplier of last resort service or back-up electric generation service in  
771 accordance with this section shall, not later than July 1, 2008, file with  
772 the Department of Public Utility Control for its approval one or more  
773 long-term power purchase contracts from Class I renewable energy  
774 source projects that receive funding from the Renewable Energy  
775 Investment Fund and that are not less than one megawatt in size, at a  
776 price that is either, at the determination of the project owner, (A) not  
777 more than the total of the comparable wholesale market price for  
778 generation plus five and one-half cents per kilowatt hour, or (B) fifty  
779 per cent of the wholesale market electricity cost at the point at which  
780 transmission lines intersect with each other or interface with the  
781 distribution system, plus the project cost of fuel indexed to natural gas  
782 futures contracts on the New York Mercantile Exchange at the natural  
783 gas pipeline interchange located in Vermillion Parish, Louisiana that  
784 serves as the delivery point for such futures contracts, plus the fuel  
785 delivery charge for transporting fuel to the project, plus five and one-  
786 half cents per kilowatt hour. In its approval of such contracts, the  
787 department shall give preference to purchase contracts from those  
788 projects that would provide a financial benefit to ratepayers or would  
789 enhance the reliability of the electric transmission system of the state.  
790 Such projects shall be located in this state. The owner of a fuel cell  
791 project principally manufactured in this state shall be allocated all  
792 available air emissions credits and tax credits attributable to the project

793 and no less than fifty per cent of the energy credits in the Class I  
794 renewable energy credits program established in section 16-245a  
795 attributable to the project. On and after October 1, 2007, and until  
796 September 30, 2008, such contracts shall be comprised of not less than a  
797 total, apportioned among each electric distribution company, of one  
798 hundred twenty-five megawatts; and on and after October 1, 2008,  
799 such contracts shall be comprised of not less than a total, apportioned  
800 among each electrical distribution company, of one hundred fifty  
801 megawatts. The cost of such contracts and the administrative costs for  
802 the procurement of such contracts directly incurred shall be eligible for  
803 inclusion in the adjustment to the transitional standard offer as  
804 provided in this section and any subsequent rates for standard service,  
805 provided such contracts are for a period of time sufficient to provide  
806 financing for such projects, but not less than ten years, and are for  
807 projects which began operation on or after July 1, 2003. Except as  
808 provided in this subdivision, the amount from Class I renewable  
809 energy sources contracted under such contracts shall be applied to  
810 reduce the applicable Class I renewable energy source portfolio  
811 standards. For purposes of this subdivision, the department's  
812 determination of the comparable wholesale market price for  
813 generation shall be based upon a reasonable estimate. [On or before  
814 September 1, 2007, the department, in consultation with the Office of  
815 Consumer Counsel and the Renewable Energy Investments Advisory  
816 Council, shall study the operation of such renewable energy contracts  
817 and report its findings and recommendations to the joint standing  
818 committee of the General Assembly having cognizance of matters  
819 relating to energy.]

820 (k) (1) As used in this section:

821 (A) "Participating electric supplier" means an electric supplier that is  
822 licensed by the department to provide electric service, pursuant to this  
823 subsection, to residential or small commercial customers.

824 (B) "Residential customer" means a customer who is eligible for

825 standard service and who takes electric distribution-related service  
826 from an electric distribution company pursuant to a residential tariff.

827 (C) "Small commercial customer" means a customer who is eligible  
828 for standard service and who takes electric distribution-related service  
829 from an electric distribution company pursuant to a small commercial  
830 tariff.

831 (D) "Qualifying electric offer" means an offer to provide full  
832 requirements commodity electric service and all other generation-  
833 related service to a residential or small commercial customer at a fixed  
834 price per kilowatt hour for a term of no less than one year.

835 (2) In the manner determined by the department, residential or  
836 small commercial service customers (A) initiating new utility service,  
837 (B) reinitiating service following a change of residence or business  
838 location, (C) making an inquiry regarding their utility rates, or (D)  
839 seeking information regarding energy efficiency shall be offered the  
840 option to learn about their ability to enroll with a participating electric  
841 supplier. Customers expressing an interest to learn about their electric  
842 supply options shall be informed of the qualifying electric offers then  
843 available from participating electric suppliers. The electric distribution  
844 companies shall describe then available qualifying electric offers  
845 through a method reviewed and approved by the department. The  
846 information conveyed to customers expressing an interest to learn  
847 about their electric supply options shall include, at a minimum, the  
848 price and term of the available electric supply option. Customers  
849 expressing an interest in a particular qualifying electric offer shall be  
850 immediately transferred to a call center operated by that participating  
851 electric supplier.

852 (3) Not later than September 1, 2007, the department shall establish  
853 terms and conditions under which a participating electric supplier can  
854 be included in the referral program described in subdivision (2) of this  
855 subsection. Such terms shall include, but not be limited to, requiring  
856 participating electrical suppliers to offer time-of-use and real-time use

857 rates to residential customers.

858 (4) Each calendar quarter, participating electric suppliers shall be  
859 allowed to list qualifying offers to provide electric generation service  
860 to residential and small commercial customers with each customer's  
861 utility bill. The department shall determine the manner such  
862 information is presented in customers' utility bills.

863 (5) Any customer that receives electric generation service from a  
864 participating electric supplier may return to standard service or may  
865 choose another participating electric supplier at any time, including  
866 during the qualifying electric offer, without the imposition of any  
867 additional charges. Any customer that is receiving electric generation  
868 service from an electric distribution company pursuant to standard  
869 service can switch to another participating electric supplier at any time  
870 without the imposition of additional charges.

871 (l) Each electric distribution company shall offer to bill customers on  
872 behalf of participating electric suppliers and to pay such suppliers in a  
873 timely manner the amounts due such suppliers from customers for  
874 generation services, less a percentage of such amounts that reflects  
875 uncollectible bills and overdue payments as approved by the  
876 Department of Public Utility Control.

877 (m) On or before July 1, 2007, the Department of Public Utility  
878 Control shall initiate a proceeding to examine whether electric supplier  
879 bills rendered pursuant to section 16-245d and any regulations  
880 adopted thereunder sufficiently enable customers to compare pricing  
881 policies and charges among electric suppliers.

882 (n) Nothing in the provisions of this section shall preclude an  
883 electric distribution company from entering into standard service  
884 supply contracts or standard service supply components with electric  
885 generating facilities.

886 Sec. 16. Section 16-244d of the general statutes is repealed and the

887 following is substituted in lieu thereof (*Effective July 1, 2009*):

888 (a) Not later than December 1, 1998, the Department of Public  
889 Utility Control shall develop a comprehensive public education  
890 outreach program to educate customers about the implementation of  
891 retail competition among electric suppliers, as defined in section 16-1.  
892 The goals of the program shall be to maximize public information,  
893 minimize customer confusion and equip all customers to participate in  
894 a restructured generation market. The program shall include, but not  
895 be limited to: (1) The dissemination of information through mass  
896 media, interactive approaches and written materials with the goal of  
897 reaching every electric customer; (2) the conduct of public forums in  
898 different geographical areas of the state to foster public input and  
899 provide opportunities for an exchange of questions and answers; (3)  
900 involvement of community-based organizations in developing  
901 messages and in devising and implementing education strategies; (4)  
902 targeted efforts to reach rural, low income, elderly, foreign language,  
903 disabled, ethnic minority and other traditionally underserved  
904 populations; and (5) periodic evaluations of the effectiveness of  
905 educational efforts. The department shall assign one individual within  
906 the department to coordinate the outreach program and oversee the  
907 education process. The department shall begin to implement the  
908 outreach program not later than January 1, 1999.

909 (b) There shall be established a Consumer Education Advisory  
910 Council which shall advise the outreach program coordinator on the  
911 development and implementation of the outreach program until the  
912 termination of the standard offer under section 16-244c, as amended by  
913 this act. Membership of the advisory council shall be established by the  
914 [Consumer Counsel not later than December 1, 1998,] Attorney  
915 General and shall include, but not be limited to, representatives of the  
916 Department of Public Utility Control, [the Office of Consumer  
917 Counsel] the Office of the Attorney General, the Office of Policy and  
918 Management, the Department of Environmental Protection,  
919 community and business organizations, consumer groups, including,

920 but not limited to, a group that represents hardship customers, as  
921 defined in section 16-262c, electric distribution companies and electric  
922 suppliers. The advisory council shall determine the information to be  
923 distributed to customers as part of the education effort such as  
924 customers' rights and obligations in a restructured environment, how  
925 customers can exercise their right to participate in retail access, the  
926 types of electric suppliers expected to be licensed including the  
927 possibility of load aggregation, electric generation services options that  
928 will be available, the environmental characteristics of different types of  
929 generation facilities and other information determined by the advisory  
930 council to be necessary for customers. The advisory council shall  
931 advise the outreach program coordinator on the methods of  
932 distributing information in accordance with subsection (a) of this  
933 section and the timing of such distribution. The advisory council shall  
934 meet on a regular basis and report to the outreach program  
935 coordinator as it deems appropriate until termination of the advisory  
936 council's role upon the termination of the standard offer under section  
937 16-244c, as amended by this act.

938 (c) Not later than December 1, 1998, the Department of Public Utility  
939 Control shall submit a report to the joint standing committee of the  
940 General Assembly having cognizance of matters relating to energy,  
941 outlining the scope of the education outreach program developed by  
942 the department and identifying the individual acting as outreach  
943 program coordinator and the membership of the advisory council.

944 (d) The department may retain a consultant in accordance with  
945 section 16-18a, as amended by this act, to assist in developing and  
946 implementing the public education outreach program, provided the  
947 authorization to retain such consultant shall expire December 31, 2005.  
948 The reasonable and proper expenses for retaining the consultant and  
949 implementing the outreach program shall be reimbursed through the  
950 systems benefits charge as provided in subsection (b) of said section  
951 16-18a.

952 (e) The advisory council shall, in consultation with the Connecticut  
953 Academy of Science and Engineering and the New England  
954 Conference of Public Utility Commissioners, analyze the  
955 environmental costs and benefits of the following categories of energy  
956 sources: (1) Class I renewable energy sources by type; (2) Class II  
957 renewable energy sources by type; (3) facilities using coal, natural gas,  
958 oil or other petroleum products as fuel which facilities are subject to  
959 the New Source Performance Standards in the federal Clean Air Act  
960 for such facilities; (4) facilities using coal, natural gas, oil or other  
961 petroleum products as fuel which facilities are not subject to the New  
962 Source Performance Standards; (5) nuclear power generating facilities;  
963 and (6) hydropower that does not meet the criteria for a Class II  
964 renewable energy source. The advisory council shall establish uniform  
965 standards for the disclosure of information to allow customers to easily  
966 compare rates of air pollutant emissions and the resource mix of  
967 various energy sources of electric suppliers.

968 (f) The Department of Public Utility Control, in consultation with  
969 the [Office of Consumer Counsel] Attorney General, shall establish a  
970 program for the dissemination of information regarding electric  
971 suppliers. Such program shall require electric distribution companies  
972 to distribute an informational summary on electric suppliers to any  
973 new customer and to existing customers beginning on January 1, 2004,  
974 and semiannually thereafter. Such informational summary shall be  
975 developed by the department and shall include, but not be limited to,  
976 the name of each licensed electric supplier, the state where the supplier  
977 is based, information on whether the supplier has active offerings for  
978 either residential or commercial and industrial consumers, the  
979 telephone number and Internet address of the supplier, and  
980 information as to whether the supplier offers electric generation  
981 services from renewable energy sources in excess of the portfolio  
982 standards established pursuant to section 16-245a. The department  
983 shall include pricing information in the informational summary to the  
984 extent the department determines feasible. The department shall post  
985 the informational summary in a conspicuous place on its website and

986 provide electronic links to the website of each supplier. The  
987 department shall update the informational summary on its website on  
988 at least a quarterly basis.

989 (g) The Department of Public Utility Control, in consultation with  
990 the [Office of Consumer Counsel] Attorney General and the Consumer  
991 Education Advisory Council, shall, not later than October 1, 2003,  
992 develop a plan for the restart of the education outreach program on or  
993 before October 1, 2004, and submit, in accordance with the provisions  
994 of section 11-4a, such plan to the joint standing committee of the  
995 General Assembly having cognizance of matters relating to energy and  
996 technology.

997 Sec. 17. Subsection (b) of section 16-244f of the general statutes is  
998 repealed and the following is substituted in lieu thereof (*Effective July*  
999 *1, 2009*):

1000 (b) (1) No electric company shall be eligible to claim any stranded  
1001 costs as provided in sections 16-245e to 16-245k, inclusive, unless the  
1002 electric company (A) prior to the date when the department approves  
1003 a divestiture plan, has sold its nonnuclear generation assets in  
1004 accordance with section 16-43, and (B) on and after the date when the  
1005 department approves such plan, has submitted all of its nonnuclear  
1006 generation assets owned or held as of April 29, 1998, to a public  
1007 auction held in a commercially reasonable manner in accordance with  
1008 this subsection.

1009 (2) Each electric company that elects to divest itself of nonnuclear  
1010 generation assets shall, not later than October 1, 1998, submit a  
1011 divestiture plan to the Department of Public Utility Control. The  
1012 divestiture plan shall include (A) any documentation the department  
1013 determines is reasonably necessary to approve the auction procedure,  
1014 including a copy of the request for proposal and a description of the  
1015 solicitation process, (B) a detailed description of the process for the sale  
1016 and transfer of nonnuclear generation assets, and (C) the book value of  
1017 all assets the electric company intends to make available for sale. In



1018 structuring the divestiture plan, the electric company shall take into  
1019 account the findings set forth in section 16-244. The department shall  
1020 issue a final order approving or modifying the plan in a time frame  
1021 that will allow divestiture to be accomplished by January 1, 2000. The  
1022 department shall, after consultation with the [Office of Consumer  
1023 Counsel] Attorney General, appoint a consultant who shall be an entity  
1024 unrelated to said company that meets qualifications set by the  
1025 department, to conduct the auction process.

1026 (3) The department shall not approve a sale unless (A) the sale price  
1027 of an asset or assets equals or exceeds book value for the asset or  
1028 assets, except for any dual-fueled nonnuclear generation unit that  
1029 began operation between 1974 and 1976 and has a capacity of not less  
1030 than four hundred twenty megawatts, in which case the sale price for  
1031 that specific unit equals or exceeds the minimum bid established by  
1032 the department for the unit, (B) the department determines the bidder  
1033 meets all applicable qualifications established by federal law and  
1034 regulation, (C) the sale is conducted in accordance with the divestiture  
1035 plan as approved by the department, (D) the bidder proves to the  
1036 satisfaction of the department that the bidder will preserve labor  
1037 agreements in effect at the time of the sale, and (E) the sale will result  
1038 in a net benefit to ratepayers, as determined by the department.  
1039 Transfer in ownership of any asset shall not occur until the department  
1040 determines the purchaser is fully qualified to provide electric  
1041 generation services pursuant to section 16-245 or pursuant to  
1042 applicable federal law and regulation. If the department approves a  
1043 sale in accordance with the provisions of this section, no further  
1044 proceedings under section 16-43 shall be required.

1045 (4) The department shall determine the minimum bid price for a  
1046 dual-fueled nonnuclear generation unit that began operation between  
1047 1974 and 1976 and has a capacity of not less than four hundred twenty  
1048 megawatts, by determining the future net cash flow that a nonnuclear  
1049 generation unit of comparable size, age and technical characteristics  
1050 that is prudently and efficiently managed would be expected to

1051 produce over its expected remaining useful life, discounted to a  
1052 present value.

1053 (5) A generation entity or affiliate of an electric company may bid on  
1054 any nonnuclear generation asset, provided such entity or affiliate is  
1055 qualified to bid, as provided in this subsection.

1056 (6) All net proceeds realized by an electric company from the sale of  
1057 assets pursuant to this subsection that exceed the total book value of all  
1058 the assets sold pursuant to this section shall be netted against the  
1059 amount of stranded costs as provided in subdivision (4) of subsection  
1060 (h) and subsection (i) of section 16-245e.

1061 (7) If an electric company complies with the provisions of this  
1062 subsection but does not receive any bids for an asset by a qualified  
1063 bidder that equal or exceed the minimum bid as provided in this  
1064 subsection, the department shall calculate the value of stranded costs  
1065 for each such asset in accordance with the provisions of subsection (g)  
1066 of section 16-245e.

1067 Sec. 18. Subsection (c) of section 16-244g of the general statutes is  
1068 repealed and the following is substituted in lieu thereof (*Effective July*  
1069 *1, 2009*):

1070 (c) (1) Each electric distribution company that elects to divest itself  
1071 of its nuclear generation assets shall, in a time frame that will allow  
1072 divestiture to occur by January 1, 2004, submit a divestiture plan to the  
1073 Department of Public Utility Control. The divestiture plan shall  
1074 include (A) any documentation the department determines is  
1075 reasonably necessary to approve the auction procedure, including a  
1076 copy of the request for proposal and a description of the solicitation  
1077 process, (B) a detailed description of the process for the sale and  
1078 transfer of nuclear generation assets, and (C) information the  
1079 department determines is necessary for the department to determine  
1080 the value of the minimum bid for each nuclear generation asset, as  
1081 provided in subdivision (3) of this subsection. The department shall

1082 hold a hearing and issue a final order approving or modifying the plan  
1083 in a time frame that will allow divestiture to be accomplished by  
1084 January 1, 2004. Any hearing shall be conducted as a contested case in  
1085 accordance with chapter 54. The department shall, after consultation  
1086 with the [Office of Consumer Counsel] Attorney General, appoint a  
1087 consultant who shall be an entity unrelated to the said company that  
1088 meets qualifications set by the department, to conduct the auction  
1089 process.

1090 (2) The department shall not approve a sale unless (A) the sale price  
1091 equals or exceeds the minimum bid established by the department for  
1092 the asset, (B) the department determines the bidder meets all  
1093 applicable qualifications established by federal law and regulation, (C)  
1094 the sale is conducted in accordance with the divestiture plan as  
1095 approved by the department, (D) the bidder proves to the satisfaction  
1096 of the department that the bidder will preserve labor agreements in  
1097 effect at the time of the sale, and (E) the sale will result in a net benefit  
1098 to ratepayers, as determined by the department. Transfer in ownership  
1099 of any asset shall not occur until the department determines the  
1100 purchaser is fully qualified to provide electric generation services  
1101 pursuant to section 16-245 or pursuant to applicable federal law and  
1102 regulation. If the department approves a sale in accordance with the  
1103 provisions of this section, no further proceedings under section 16-43  
1104 shall be required.

1105 (3) The department shall determine the minimum bid price for each  
1106 nuclear generation asset by determining the future net cash flow that a  
1107 nuclear generation asset of comparable size, age and technical  
1108 characteristics that is prudently and efficiently managed would be  
1109 expected to produce over its expected remaining useful life,  
1110 discounted to a present value.

1111 (4) A generation entity or affiliate of an electric distribution  
1112 company may bid on any nuclear generation asset, provided such  
1113 entity or affiliate is qualified to bid, as provided in this subsection.

1114 (5) If a final bid is less than book value for an asset, the electric  
1115 distribution company shall be entitled to recover the difference  
1116 between the bid price and the book value as stranded costs pursuant to  
1117 subdivision (2) of subsection (h) of section 16-245e. If a final bid  
1118 exceeds book value for an asset, the net proceeds realized by the  
1119 electric distribution company that are above book value shall be netted  
1120 against the amount of stranded costs as provided in subdivision (4) of  
1121 subsection (h) of section 16-245e.

1122 Sec. 19. Subsection (c) of section 16-245m of the general statutes is  
1123 repealed and the following is substituted in lieu thereof (*Effective July*  
1124 *1, 2009*):

1125 (c) The Department of Public Utility Control shall appoint and  
1126 convene an Energy Conservation Management Board which shall  
1127 include representatives of: (1) An environmental group knowledgeable  
1128 in energy conservation program collaboratives; (2) [the Office of  
1129 Consumer Counsel; (3)] the Attorney General; [(4)] (3) the Department  
1130 of Environmental Protection; [(5)] (4) the electric distribution  
1131 companies in whose territories the activities take place for such  
1132 programs; [(6)] (5) a state-wide manufacturing association; [(7)] (6) a  
1133 chamber of commerce; [(8)] (7) a state-wide business association; [(9)]  
1134 (8) a state-wide retail organization; [(10)] (9) a representative of a  
1135 municipal electric energy cooperative created pursuant to chapter  
1136 101a; [(11)] (10) two representatives selected by the gas companies in  
1137 this state; and [(12)] (11) residential customers. Such members shall  
1138 serve for a period of five years and may be reappointed.  
1139 Representatives of the gas companies shall not vote on matters  
1140 unrelated to gas conservation. Representatives of the electric  
1141 distribution companies and the municipal electric energy cooperative  
1142 shall not vote on matters unrelated to electricity conservation.

1143 Sec. 20. Subsections (e) and (f) of section 16-245n of the general  
1144 statutes are repealed and the following is substituted in lieu thereof  
1145 (*Effective July 1, 2009*):

1146 (e) The Renewable Energy Investments Board shall include not  
1147 more than fifteen individuals with knowledge and experience in  
1148 matters related to the purpose and activities of the Renewable Energy  
1149 Investment Fund. The board shall consist of the following members:  
1150 (1) One person with expertise regarding renewable energy resources  
1151 appointed by the speaker of the House of Representatives; (2) one  
1152 person representing a state or regional organization primarily  
1153 concerned with environmental protection appointed by the president  
1154 pro tempore of the Senate; (3) one person with experience in business  
1155 or commercial investments appointed by the majority leader of the  
1156 House of Representatives; (4) one person representing a state or  
1157 regional organization primarily concerned with environmental  
1158 protection appointed by the majority leader of the Senate; (5) one  
1159 person with experience in business or commercial investments  
1160 appointed by the minority leader of the House of Representatives; (6)  
1161 the Commissioner of Emergency Management and Homeland Security  
1162 or the commissioner's designee; (7) one person with expertise  
1163 regarding renewable energy resources appointed by the Governor; (8)  
1164 two persons with experience in business or commercial investments  
1165 appointed by the board of directors of Connecticut Innovations,  
1166 Incorporated; (9) a representative of a state-wide business association,  
1167 manufacturing association or chamber of commerce appointed by the  
1168 minority leader of the Senate; (10) the [Consumer Counsel] Attorney  
1169 General; (11) the Secretary of the Office of Policy and Management or  
1170 the secretary's designee; (12) the Commissioner of Environmental  
1171 Protection or the commissioner's designee; (13) a representative of  
1172 organized labor appointed by the Governor; and (14) a representative  
1173 of residential customers or low-income customers appointed by  
1174 Governor. On a biennial basis, the board shall elect a chairperson and  
1175 vice-chairperson from among its members and shall adopt such  
1176 bylaws and procedures it deems necessary to carry out its functions.  
1177 The board may establish committees and subcommittees as necessary  
1178 to conduct its business.

1179 (f) The board shall issue annually a report to the Department of

1180 Public Utility Control reviewing the activities of the Renewable Energy  
1181 Investment Fund in detail and shall provide a copy of such report, in  
1182 accordance with the provisions of section 11-4a, to the joint standing  
1183 committees of the General Assembly having cognizance of matters  
1184 relating to energy and commerce and the [Office of Consumer  
1185 Counsel] Attorney General. The report shall include a description of  
1186 the programs and activities undertaken during the reporting period  
1187 jointly or in collaboration with the Energy Conservation and Load  
1188 Management Funds established pursuant to section 16-245m, as  
1189 amended by this act.

1190 Sec. 21. Subsection (b) of section 16-245u of the general statutes is  
1191 repealed and the following is substituted in lieu thereof (*Effective July*  
1192 *1, 2009*):

1193 (b) (1) Upon complaint or upon its own motion, for cause shown,  
1194 the department shall conduct an investigation of any possible  
1195 anticompetitive or discriminatory conduct affecting the retail sale of  
1196 electricity or any unfair or deceptive trade practices. Such  
1197 investigations may include, but are not limited to, the effect of  
1198 mergers, consolidations, acquisition and disposition of assets or  
1199 securities of electric suppliers, as defined in section 16-1, or  
1200 transmission congestion on the proper functioning of a fully  
1201 competitive market.

1202 (2) The department may require an electric supplier to provide  
1203 information, including documents and testimony, in accordance with  
1204 the procedures contained in subsection (a) of section 16-8 and section  
1205 16-8c.

1206 (3) Confidential, proprietary or trade secret information provided  
1207 under this section may be submitted under a duly granted protective  
1208 order. Any hearings that may be held during the course of the  
1209 investigation may also be conducted in camera to prevent the  
1210 inadvertent revelation of such confidential information.

1211 (4) The Office of the Attorney General [and the Office of Consumer  
1212 Counsel] shall have the right to participate in such investigations  
1213 under appropriate nondisclosure agreements.

1214 (5) At the conclusion of the investigation, and notwithstanding any  
1215 previously granted protective orders, if the department finds that facts  
1216 exist that indicate any violation of state or federal law, it shall transmit  
1217 such written findings along with supporting information gathered in  
1218 its investigation to appropriate enforcement officials. Such referrals  
1219 may recommend that further investigation be made or that immediate  
1220 enforcement procedures be initiated. Such referrals may be made to  
1221 the Office of the Attorney General, the Department of Consumer  
1222 Protection, the United States Department of Justice, the Securities and  
1223 Exchange Commission, the Federal Energy Regulatory Commission, or  
1224 any other appropriate enforcement agency. The department may  
1225 intervene as permitted by law in any proceeding initiated under this  
1226 subsection. The results of such investigations may also serve as a basis  
1227 for department sanctions, after notice and hearing, under subsection (l)  
1228 of section 16-245.

1229 Sec. 22. Section 16-245x of the general statutes is repealed and the  
1230 following is substituted in lieu thereof (*Effective July 1, 2009*):

1231 (a) The Department of Public Utility Control shall, in consultation  
1232 with the [Office of Consumer Counsel] Attorney General, monitor on  
1233 an on-going basis the state of competition, as it exists and as it is likely  
1234 to evolve, and the average total rates of each customer class. Not later  
1235 than January 1, 2002 and annually thereafter, the department shall  
1236 report its findings to the joint standing committee of the General  
1237 Assembly having cognizance of matters relating to energy.

1238 (b) (1) As used in this subdivision, "total average residential rate"  
1239 means the total residential revenues divided by total residential  
1240 kilowatt hour sales, and "total average industrial rate" means the total  
1241 industrial revenues divided by total industrial kilowatt hour sales. At  
1242 least annually, the department shall compute the rate differential for

1243 electric service between residential and industrial customers by  
1244 comparing the total average residential rate and the total average  
1245 industrial rate, based on filings made by electric suppliers and electric  
1246 distribution companies with the Federal Energy Regulatory  
1247 Commission or the department. The rate differential shall be the  
1248 difference between the total average residential rate and the total  
1249 average industrial rates, divided by the total average residential rate.

1250 (2) If the department determines that the rate differential for electric  
1251 service between residential and industrial customers has increased by  
1252 three percentage points or more from the rate differential that existed  
1253 on January 1, 1998, the department shall institute an investigatory  
1254 proceeding in which the [Office of the Consumer Counsel] Attorney  
1255 General shall participate. Not more than ninety days after the official  
1256 commencement of the proceeding, the department shall issue written  
1257 findings that identify the factors or circumstances that contributed to  
1258 such increase in the rate differential. If the department finds that such  
1259 increase is a result of a violation of this title or of other state or federal  
1260 laws, the department shall take appropriate enforcement action or  
1261 refer such violation to the appropriate state or federal authority. If the  
1262 department finds that such increase is due to factors or circumstances  
1263 other than a violation of state or federal law, the department shall take  
1264 action in accordance with methods of allocation in effect on January 1,  
1265 1997, to minimize to the greatest extent possible such differential to  
1266 less than three percentage points, within the authority granted to the  
1267 department pursuant to section 16-7, subsection (a) or (b) of section 16-  
1268 8, section 16-8c, 16-9, 16-10, 16-10a, 16-15, 16-19, 16-19a, subsection (g)  
1269 of section 16-19b, section 16-19e, 16-19f, 16-19gg, 16-19hh, 16-19kk, as  
1270 amended by this act, 16-20, 16-21, 16-24, 16-28, 16-32, 16-41, 16-244c, as  
1271 amended by this act, 16-245, 16-245g or 16-245l, provided any action  
1272 taken by the department shall be in compliance with the principles set  
1273 forth in section 16-244, and provided further the department shall not  
1274 allow inter or intra-class rate subsidization.

1275 (3) Not later than January first, as applicable, the department shall



1276 report its findings described in subdivisions (1) and (2) of this  
1277 subsection, including a description of the factors or circumstances that  
1278 contributed to such increase in the rate differential and a description of  
1279 actions taken by the department, along with any legislative  
1280 recommendations to minimize such differential to less than three  
1281 percentage points without creating intra or inter class rate  
1282 subsidization, to members of the joint standing committee of the  
1283 General Assembly having cognizance of matters relating to energy.

1284 (c) Each electric distribution company shall submit, on a form  
1285 prescribed by the department, quarterly reports containing (1) the  
1286 average price for electric service for each customer class, and (2)  
1287 separately within the residential class, the price for electric service  
1288 under the standard offer, as provided in subsection (a) of section 16-  
1289 244c, as amended by this act, and the price for default service, as  
1290 provided in subsection (b) of said section 16-244c.

1291 (d) The department shall require electric distribution companies and  
1292 electric suppliers to supply to the department whatever pricing  
1293 information the department needs to complete its reporting and  
1294 monitoring requirements under this section. The department may  
1295 grant confidential status to certain data if a valid claim is made that the  
1296 information is competitively sensitive, provided composite numbers  
1297 shall be public information. Any electric distribution company or  
1298 electric supplier that fails to provide information requested by the  
1299 department more than thirty days after the department makes such  
1300 request shall be subject to enforcement measures under this title. The  
1301 department may adopt regulations pursuant to chapter 54 to  
1302 implement the provisions of this subsection.

1303 Sec. 23. Subsection (h) of section 16-247g of the general statutes is  
1304 repealed and the following is substituted in lieu thereof (*Effective July*  
1305 *1, 2009*):

1306 (h) The department shall remit all fees collected under this section to  
1307 the State Treasurer for deposit in the [Consumer Counsel and] Public

1308 Utility Control Fund established in section 16-48a, as amended by this  
1309 act.

1310 Sec. 24. Subsection (a) of section 16-247o of the general statutes is  
1311 repealed and the following is substituted in lieu thereof (*Effective July*  
1312 *1, 2009*):

1313 (a) The Department of Public Utility Control shall, after consultation  
1314 with the [Office of Consumer Counsel] Attorney General, retain a  
1315 consultant for the purpose of overseeing the testing of a telephone  
1316 company's interface into its operations support systems, as set forth in  
1317 subsection (a) of section 16-247n, and attempting to resolve  
1318 expeditiously any disputes that arise among interested parties. The  
1319 costs of the consultant shall be recovered from certified  
1320 telecommunications providers and telephone companies using such  
1321 operations support systems in the manner provided in section 16-49, as  
1322 amended by this act. The contract with such consultant shall include  
1323 provisions for the testing of operations support systems and shall  
1324 require the consultant to recommend adequate performance standards  
1325 and appropriate methodologies of operations support systems testing,  
1326 that may include, but are not limited to, the use of an artificial  
1327 telecommunications provider, and to implement whatever testing  
1328 methodology is selected for use. The department shall select a testing  
1329 methodology through a process that provides an opportunity for input  
1330 from any certified telecommunications provider that uses such  
1331 operations support systems, the applicable telephone company and the  
1332 [Office of Consumer Counsel] Attorney General. Such a contract shall  
1333 also provide for status reports as required by the department.

1334 Sec. 25. Section 16-247q of the general statutes is repealed and the  
1335 following is substituted in lieu thereof (*Effective July 1, 2009*):

1336 (a) Not later than January 1, 2001, the Department of Public Utility  
1337 Control shall, in conjunction with the [Office of Consumer Counsel]  
1338 Attorney General, implement a comprehensive public education  
1339 outreach program to educate customers about the implementation of

1340 competition among certified telecommunications providers, as defined  
1341 in section 16-1, providing intrastate telecommunications services. The  
1342 goals of the program shall be to maximize public information,  
1343 minimize customer confusion and enable all customers to participate  
1344 in a competitive environment. The program shall include, but not be  
1345 limited to: (1) Dissemination of information through mass media,  
1346 interactive approaches and written materials with the goal of reaching  
1347 every telephone customer; (2) conduct of public forums in different  
1348 geographical areas of the state to foster public input and provide  
1349 opportunities for an exchange of questions and answers; (3)  
1350 involvement of community-based organizations in developing  
1351 messages and in devising and implementing education strategies; (4)  
1352 targeted efforts to reach rural, low income, elderly, foreign language,  
1353 disabled, ethnic minority and other traditionally underserved  
1354 populations; and (5) periodic evaluations of the effectiveness of  
1355 educational efforts. The department shall assign one individual within  
1356 the department to coordinate the outreach program and oversee the  
1357 education process. Reasonable costs incurred by the department to  
1358 develop and implement the education outreach program shall be  
1359 recovered from certified telecommunications providers and telephone  
1360 companies other than telephone companies serving fewer than  
1361 seventy-five thousand customers in the manner provided in section 16-  
1362 49, as amended by this act.

1363 (b) There shall be established a Consumer Education Advisory  
1364 Council which shall advise the department on the development and  
1365 implementation of the outreach program. Membership of the advisory  
1366 council shall be established by the [Office of Consumer Counsel not  
1367 later than September 1, 2000] Attorney General, and shall include, but  
1368 not be limited to, representatives of the Department of Public Utility  
1369 Control, [the Office of Consumer Counsel,] the office of the Attorney  
1370 General, the Office of Policy and Management, community and  
1371 business organizations, consumer groups, including, but not limited  
1372 to, a group that represents hardship cases, as defined in section  
1373 16-262c, telephone companies and certified telecommunications

1374 providers. The advisory council shall determine the information to be  
1375 distributed to customers as part of the education effort. The advisory  
1376 council shall advise the outreach program coordinator on the methods  
1377 of distributing information in accordance with subsection (a) of this  
1378 section and the timing of such distribution. The advisory council shall  
1379 meet on a regular basis and report to the outreach program  
1380 coordinator as it deems appropriate.

1381 Sec. 26. Subsection (a) of section 16-262w of the general statutes is  
1382 repealed and the following is substituted in lieu thereof (*Effective July*  
1383 *1, 2009*):

1384 (a) The Department of Public Utility Control may authorize a water  
1385 company to use a rate adjustment mechanism, such as a water  
1386 infrastructure and conservation adjustment (WICA), for eligible  
1387 projects completed and in service for the benefit of the customers. A  
1388 water company may only charge customers such an adjustment to the  
1389 extent allowed by the department based on a water company's  
1390 infrastructure assessment report, as approved by the department and  
1391 upon semiannual filings by the company which reflect plant additions  
1392 consistent with such report. The department, in consultation with the  
1393 [Office of Consumer Counsel] Attorney General, shall conduct the  
1394 proceeding in accordance with the provisions of section 16-18a, as  
1395 amended by this act.

1396 Sec. 27. Subsection (f) of section 16-331 of the general statutes is  
1397 repealed and the following is substituted in lieu thereof (*Effective July*  
1398 *1, 2009*):

1399 (f) Each applicant for a certificate shall finance the reasonable costs  
1400 of a community needs assessment, conducted by an independent  
1401 consultant and developed jointly by the department, the [Office of  
1402 Consumer Counsel] Attorney General, the local advisory council and  
1403 the applicant, which assessment shall analyze a community's future  
1404 cable-related needs and, if applicable, shall provide the department  
1405 with assistance in analyzing an operator's past performance, as defined

1406 in subsection (d) of this section. The department shall supervise the  
1407 assessment and provide the independent consultant with the date  
1408 upon which the assessment shall be completed and filed with the  
1409 department. Such community needs assessment shall be conducted in  
1410 lieu of the requirement in subdivision (12) of subsection (c) of section  
1411 16-333-39 of the regulations of Connecticut state agencies. In its final  
1412 decision on the application for a certificate, the department shall state  
1413 the reasons for not implementing any key recommendations made in  
1414 any such needs assessment. The provisions of this subsection shall not  
1415 apply to a franchise area which is subject to effective competition, as  
1416 defined in 47 USC 543, as from time to time amended, at the time the  
1417 application is received by the department.

1418 Sec. 28. Subsection (h) of section 16-331a of the general statutes is  
1419 repealed and the following is substituted in lieu thereof (*Effective July*  
1420 *1, 2009*):

1421 (h) Upon the request of the [Office of Consumer Counsel] Attorney  
1422 General or the franchise's advisory council, and for good cause shown  
1423 the department shall require an organization responsible for  
1424 community access operations to have an independent audit conducted  
1425 at the expense of the organization. For purposes of this subsection,  
1426 "good cause" may include, but not be limited to, the failure or refusal  
1427 of such organization (1) to account for and reimburse the community  
1428 access programming budget for its commercial use of community  
1429 access programming facilities, equipment or staff, or for the allocation  
1430 of such facilities, equipment or staff to functions not directly related to  
1431 the community access operations of the franchise, (2) to carry over  
1432 unexpended community access programming budget accounts at the  
1433 end of each fiscal year, (3) to properly maintain community access  
1434 programming facilities or equipment in good repair, or (4) to plan for  
1435 the replacement of community access programming equipment made  
1436 obsolete by technological advances. In response to any such request,  
1437 the department shall state, in writing, the reasons for its determination.

1438 Sec. 29. Subsection (d) of section 16-331e of the general statutes is  
1439 repealed and the following is substituted in lieu thereof (*Effective July*  
1440 *1, 2009*):

1441 (d) The department shall notify the applicant whether the  
1442 application is complete or incomplete on or before the fifteenth  
1443 calendar day after the applicant submits the application. The  
1444 department shall limit its review of the application to whether it  
1445 provides the information required pursuant to subsection (c) of this  
1446 section. In reviewing such application, the department shall not  
1447 conduct a hearing or contested case proceeding in accordance with  
1448 chapter 54. The department may submit written questions to the  
1449 applicant and require written answers regarding the information  
1450 provided, and may accept written comments and reply comments  
1451 from the applicant, [the Office of Consumer Counsel,] the Attorney  
1452 General and other interested companies, organizations and  
1453 individuals. These written comments and reply comments shall be  
1454 limited solely to the issue of whether the application complies with the  
1455 requirements set forth in subsection (c) of this section.

1456 Sec. 30. Subsection (e) of section 16-331p of the general statutes is  
1457 repealed and the following is substituted in lieu thereof (*Effective July*  
1458 *1, 2009*):

1459 (e) The department shall notify the applicant whether the  
1460 applicant's application is complete or incomplete on or before the  
1461 fifteenth calendar day after the applicant submits the application. The  
1462 department's review of the completeness of the application is limited  
1463 to whether the application complies with the requirements set forth in  
1464 subsection (d) of this section. In reviewing the application, the  
1465 department shall not conduct a hearing or a contested case proceeding  
1466 pursuant to chapter 54. The department may submit written questions  
1467 to the applicant and require written answers regarding the information  
1468 provided and may accept written comments and reply comments from  
1469 the applicant, [the Office of Consumer Counsel,] the Attorney General

1470 and other interested persons.

1471 Sec. 31. Subsection (a) of section 16a-3 of the general statutes is  
1472 repealed and the following is substituted in lieu thereof (*Effective July*  
1473 *1, 2009*):

1474 (a) There is established a Connecticut Energy Advisory Board  
1475 consisting of fifteen members, including the Commissioner of  
1476 Environmental Protection, the chairperson of the Public Utilities  
1477 Control Authority, the Commissioner of Transportation, the  
1478 [Consumer Counsel] Attorney General, the Commissioner of  
1479 Agriculture, and the Secretary of the Office of Policy and Management,  
1480 or their respective designees. The Governor shall appoint a  
1481 representative of an environmental organization knowledgeable in  
1482 energy efficiency programs, a representative of a consumer advocacy  
1483 organization and a representative of a state-wide business association.  
1484 The president pro tempore of the Senate shall appoint a representative  
1485 of a chamber of commerce, a representative of a state-wide  
1486 manufacturing association and a member of the public considered to  
1487 be an expert in electricity, generation, procurement or conservation  
1488 programs. The speaker of the House of Representatives shall appoint a  
1489 representative of low-income ratepayers, a representative of state  
1490 residents, in general, with expertise in energy issues and a member of  
1491 the public considered to be an expert in electricity, generation,  
1492 procurement or conservation programs. All appointed members shall  
1493 serve in accordance with section 4-1a. No appointee may be employed  
1494 by, or a consultant of, a public service company, as defined in section  
1495 16-1, or an electric supplier, as defined in section 16-1, or an affiliate or  
1496 subsidiary of such company or supplier.

1497 Sec. 32. Subsection (b) of section 16a-3b of the general statutes is  
1498 repealed and the following is substituted in lieu thereof (*Effective July*  
1499 *1, 2009*):

1500 (b) If the procurement plan specifies the construction of a generating  
1501 facility, the department shall develop and issue a request for

1502 proposals, shall publish such request for proposals in one or more  
1503 newspapers or periodicals, as selected by the department, and shall  
1504 post such request for proposals on its web site. Pursuant to a  
1505 nondisclosure agreement, the department shall make available to the  
1506 [Office of Consumer Counsel and the] Attorney General all  
1507 confidential bid information it receives pursuant to this subsection,  
1508 provided the bids and any analysis of such bids shall not be subject to  
1509 disclosure under the Freedom of Information Act. Three months after  
1510 the department issues a final decision, it shall make available all  
1511 financial bid information, provided such information regarding the  
1512 bidders not selected be presented in a manner that conceals the  
1513 identities of such bidders.

1514 (1) On and after July 1, 2008, an electric distribution company may  
1515 submit proposals in response to a request for proposals on the same  
1516 basis as other respondents to the solicitation. A proposal submitted by  
1517 an electric distribution company shall include its full projected costs  
1518 such that any project costs recovered from or defrayed by ratepayers  
1519 are included in the projected costs. An electric distribution company  
1520 submitting any such bid shall demonstrate to the satisfaction of the  
1521 department that its bid is not supported in any form of cross  
1522 subsidization by affiliated entities. If the department approves such  
1523 electric distribution company's proposal, the costs and revenues of  
1524 such proposal shall not be included in calculating such company's  
1525 earning for purposes of, or in determining whether its rates are just  
1526 and reasonable under, sections 16-19, 16-19a and 16-19e. An electric  
1527 distribution company shall not recover more than the full costs  
1528 identified in any approved proposal. Affiliates of the electric  
1529 distribution company may submit proposals pursuant to section 16-  
1530 244h, regulations adopted pursuant to section 16-244h and other  
1531 requirements the department may impose.

1532 (2) If the department selects a nonelectric distribution company  
1533 proposal, an electric distribution company shall, within thirty days of  
1534 the selection of a proposal by the department, negotiate in good faith



1535 the final terms of a contract with a generating facility and shall apply  
1536 to the department for approval of such contract. Upon department  
1537 approval, the electric distribution company shall enter into such  
1538 contract.

1539 (3) The department shall determine the appropriate manner of cost  
1540 recovery for proposals selected pursuant to this section.

1541 (4) The department may retain the services of a third-party entity  
1542 with expertise in the area of energy procurement to oversee the  
1543 development of the request for proposals and to assist the department  
1544 in its approval of proposals pursuant to this section. The reasonable  
1545 and proper expenses for retaining such third-party entity shall be  
1546 recoverable through the generation services charge.

1547 Sec. 33. Subsection (a) of section 16a-41b of the general statutes is  
1548 repealed and the following is substituted in lieu thereof (*Effective July*  
1549 *1, 2009*):

1550 (a) There shall be a Low-Income Energy Advisory Board which shall  
1551 consist of the following members: The Secretary of the Office of Policy  
1552 and Management or the secretary's designee; the Commissioner of  
1553 Social Services or the commissioner's designee; [the executive director  
1554 of the Commission on Aging;] a representative of each electric and gas  
1555 public service company designated by each such company; the  
1556 chairperson of the Department of Public Utility Control or a  
1557 commissioner of the Department of Public Utility Control designated  
1558 by the chairperson; the [Consumer Counsel or the counsel's] Attorney  
1559 General or the Attorney General's designee; the executive director of  
1560 Operation Fuel; the executive director of Infoline; the director of the  
1561 Connecticut Local Administrators of Social Services; the executive  
1562 director of Legal Assistance Resource Center of Connecticut; the  
1563 Connecticut president of AARP; a designee of the Norwich Public  
1564 Utility; a designee of the Connecticut Petroleum Dealers Association;  
1565 and a representative of the community action agencies administering  
1566 energy assistance programs under contract with the Department of

1567 Social Services, designated by the Connecticut Association for  
1568 Community Action.

1569 Sec. 34. Section 25-32i of the general statutes is repealed and the  
1570 following is substituted in lieu thereof (*Effective July 1, 2009*):

1571 There is created a Residential Water-Saving Advisory Board to  
1572 advise the Commissioner of Public Health on educational materials or  
1573 information on water conservation. The board shall consist of eight  
1574 members as follows: The Commissioners of Environmental Protection  
1575 and Public Health, the Secretary of the Office of Policy and  
1576 Management, the chairperson of the Public Utilities Control Authority,  
1577 and the [Consumer Counsel] Attorney General, or their respective  
1578 designees; a representative of a small investor-owned water company,  
1579 who shall be appointed by the minority leader of the Senate; a  
1580 representative of a large investor-owned water company, who shall be  
1581 appointed by the minority leader of the House of Representatives; and  
1582 a representative of a municipal or regional water authority, who shall  
1583 be jointly appointed by the president pro tempore of the Senate and  
1584 the speaker of the House of Representatives. The Governor shall  
1585 designate the chairman of the board.

1586 Sec. 35. Subsection (a) of section 52-259a of the general statutes is  
1587 repealed and the following is substituted in lieu thereof (*Effective July*  
1588 *1, 2009*):

1589 (a) Any member of the Division of Criminal Justice or the Division  
1590 of Public Defender Services, any employee of the Judicial Department,  
1591 acting in the performance of such employee's duties, the Attorney  
1592 General, an assistant attorney general, [the Consumer Counsel,] any  
1593 attorney employed by the Office of Consumer Counsel within the  
1594 Department of Public Utility Control, the Department of Revenue  
1595 Services, the Commission on Human Rights and Opportunities, the  
1596 Freedom of Information Commission, the Board of Labor Relations,  
1597 the Office of Protection and Advocacy for Persons with Disabilities, the  
1598 Office of the Victim Advocate or the Department of Social Services, or

1599 any attorney appointed by the court to assist any of them or to act for  
1600 any of them in a special case or cases, while acting in such attorney's  
1601 official capacity or in the capacity for which such attorney was  
1602 appointed, shall not be required to pay the fees specified in sections 52-  
1603 258, 52-259, and 52-259c, subsection (a) of section 52-356a, subsection  
1604 (a) of section 52-361a, section 52-367a, subsection (b) of section 52-367b  
1605 and subsection (n) of section 46b-231.

1606 Sec. 36. Section 2c-2b of the general statutes is repealed and the  
1607 following is substituted in lieu thereof (*Effective July 1, 2009*):

1608 (a) The following governmental entities and programs are  
1609 terminated, effective July 1, 2010, unless reestablished in accordance  
1610 with the provisions of section 2c-10:

1611 (1) Regulation of hearing aid dealers pursuant to chapter 398;

1612 (2) Repealed by P.A. 99-102, S. 51;

1613 (3) Connecticut Homeopathic Medical Examining Board, established  
1614 under section 20-8;

1615 (4) State Board of Natureopathic Examiners, established under  
1616 section 20-35;

1617 (5) Board of Examiners of Electrologists, established under section  
1618 20-268;

1619 (6) Connecticut State Board of Examiners for Nursing, established  
1620 under section 20-88;

1621 (7) Connecticut Board of Veterinary Medicine, established under  
1622 section 20-196;

1623 (8) Liquor Control Commission, established under section 30-2;

1624 (9) Connecticut State Board of Examiners for Optometrists,  
1625 established under section 20-128a;

- 1626       (10) Board of Examiners of Psychologists, established under section  
1627   20-186;
- 1628       (11) Regulation of speech pathologists and audiologists pursuant to  
1629   chapter 399;
- 1630       (12) Connecticut Examining Board for Barbers and Hairdressers and  
1631   Cosmeticians established under section 20-235a;
- 1632       (13) Board of Examiners of Embalmers and Funeral Directors  
1633   established under section 20-208;
- 1634       (14) Regulation of nursing home administrators pursuant to chapter  
1635   368v;
- 1636       (15) Board of Examiners for Opticians established under section 20-  
1637   139a;
- 1638       (16) Medical Examining Board established under section 20-8a;
- 1639       (17) Board of Examiners in Podiatry, established under section 20-  
1640   51;
- 1641       (18) Board of Chiropractic Examiners, established under section 20-  
1642   25;
- 1643       (19) The agricultural lands preservation program, established under  
1644   section 22-26cc;
- 1645       (20) Nursing Home Ombudsmen Office, established under section  
1646   17a-405;
- 1647       (21) Mobile Manufactured Home Advisory Council established  
1648   under section 21-84a;
- 1649       (22) Repealed by P.A. 93-262, S. 86, 87;
- 1650       (23) The Child Day Care Council established under section 17b-748,  
1651   as amended by this act;

1652 (24) The Connecticut Advisory Commission on Intergovernmental  
1653 Relations established under section 2-79a;

1654 (25) [The Commission on Children established under section 46a-  
1655 126] Repealed pursuant to section \_\_\_ of this act;

1656 (26) The task force on the development of incentives for conserving  
1657 energy in state buildings established under section 16a-39b;

1658 (27) The estuarine embayment improvement program established  
1659 by sections 22a-113 to 22a-113c, inclusive;

1660 (28) The State Dental Commission, established under section 20-  
1661 103a;

1662 (29) The Connecticut Economic Information Steering Committee,  
1663 established under section 32-6i;

1664 (30) Repealed by P.A. 95-257, S. 57, 58; and

1665 (31) The registry established under section 17a-247b.

1666 (b) The following governmental entities and programs are  
1667 terminated, effective July 1, 2011, unless reestablished in accordance  
1668 with the provisions of section 2c-10:

1669 (1) Program of regulation of sanitarians, established under chapter  
1670 395;

1671 (2) Program of regulation of subsurface sewage disposal system  
1672 installers and cleaners, established under chapter 393a;

1673 (3) Program of regulation of bedding and upholstered furniture  
1674 established by sections 21a-231 to 21a-236, inclusive;

1675 (4) Regional mental health boards, established under section 17a-  
1676 484;

1677 (5) Repealed by P.A. 88-285, S. 34, 35;

1678       (6) All advisory boards for state hospitals and facilities, established  
1679       under section 17a-470;

1680       (7) Repealed by P.A. 85-613, S. 153, 154;

1681       (8) State Board of Examiners for Physical Therapists, established  
1682       under section 20-67;

1683       (9) Commission on Medicolegal Investigations, established under  
1684       subsection (a) of section 19a-401;

1685       (10) Board of Mental Health and Addiction Services, established  
1686       under section 17a-456;

1687       (11) Repealed by P.A. 95-257, S. 57, 58;

1688       (12) Commission on Prison and Jail Overcrowding established  
1689       under section 18-87j; and

1690       (13) The residential energy conservation service program authorized  
1691       under sections 16a-45a, 16a-46 and 16a-46a.

1692       (c) The following governmental entities and programs are  
1693       terminated, effective July 1, 2012, unless reestablished in accordance  
1694       with the provisions of section 2c-10:

1695       (1) Board of Firearms Permit Examiners, established under section  
1696       29-32b;

1697       (2) State Board of Landscape Architects, established under section  
1698       20-368;

1699       (3) Repealed by P.A. 89-364, S. 6, 7;

1700       (4) Police Officer Standards and Training Council, established under  
1701       section 7-294b;

1702       (5) State Board of Examiners for Professional Engineers and Land  
1703       Surveyors, established under section 20-300;

1704 (6) State boards for occupational licensing, established under section  
1705 20-331;

1706 (7) Commission of Pharmacy, established under section 20-572;

1707 (8) Connecticut Real Estate Commission, established under section  
1708 20-311a;

1709 (9) State Codes and Standards Committee, established under section  
1710 29-251;

1711 (10) Commission on Fire Prevention and Control, established under  
1712 section 7-323k;

1713 (11) Program of regulation of building demolition, established  
1714 under section 29-401;

1715 (12) Repealed by P.A. 93-262, S. 86, 87 and P.A. 93-423, S. 7; and

1716 (13) Connecticut Food Policy Council, established under section 22-  
1717 456.

1718 (d) The following governmental entities and programs are  
1719 terminated, effective July 1, 2013, unless reestablished in accordance  
1720 with the provisions of section 2c-10:

1721 (1) State Insurance and Risk Management Board, established under  
1722 section 4a-19;

1723 (2) Connecticut Marketing Authority, established under section 22-  
1724 63;

1725 (3) Occupational Safety and Health Review Commission,  
1726 established under section 31-376;

1727 (4) Connecticut Siting Council, established under section 16-50j;

1728 (5) Connecticut Public Transportation Commission, established  
1729 under section 13b-11a;

- 1730 (6) State Board of Accountancy, established under section 20-280;
- 1731 (7) Repealed by P.A. 99-73, S. 10;
- 1732 (8) Repealed by P.A. 85-613, S. 153, 154;
- 1733 (9) State Milk Regulation Board, established under section 22-131;
- 1734 (10) Deleted by P.A. 99-73, S. 1;
- 1735 (11) Council on Environmental Quality, established under section  
1736 22a-11;
- 1737 (12) Repealed by P.A. 85-613, S. 153, 154;
- 1738 (13) Repealed by P.A. 83-487, S. 32, 33;
- 1739 (14) Employment Security Board of Review, established under  
1740 section 31-237c;
- 1741 (15) Repealed by P.A. 85-613, S. 153, 154;
- 1742 (16) Connecticut Energy Advisory Board, established under section  
1743 16a-3, as amended by this act;
- 1744 (17) Connecticut Solid Waste Management Advisory Council,  
1745 established under subsection (a) of section 22a-279;
- 1746 (18) Investment Advisory Council, established under section 3-13b;
- 1747 (19) State Properties Review Board, established under subsection (a)  
1748 of section 4b-3;
- 1749 (20) Commission on Human Rights and Opportunities, established  
1750 under section 46a-52;
- 1751 (21) The coastal management program, established under chapter  
1752 444;
- 1753 (22) Department of Economic and Community Development,



- 1754 established under sections 4-38c and 8-37r;
- 1755 (23) Family support grant program of the Department of Social  
1756 Services, established under section 17b-616;
- 1757 (24) Program of regulation of occupational therapists, established  
1758 under chapter 376a;
- 1759 (25) Repealed by P.A. 85-613, S. 153, 154;
- 1760 (26) Architectural Licensing Board, established under section 20-289;
- 1761 (27) Repealed by June Sp. Sess. P.A. 01-5, S. 17, 18; and
- 1762 (28) The Connecticut Transportation Strategy Board.
- 1763 (e) The following governmental entities and programs are  
1764 terminated, effective July 1, 2014, unless reestablished in accordance  
1765 with the provisions of section 2c-10:
- 1766 (1) Regional advisory councils for children and youth center  
1767 facilities, established under section 17a-30;
- 1768 (2) Repealed by P.A. 93-262, S. 86, 87;
- 1769 (3) Advisory Council on Children and Families, established under  
1770 section 17a-4;
- 1771 (4) Board of Education and Services for the Blind, established under  
1772 section 10-293;
- 1773 (5) Repealed by P.A. 84-361, S. 6, 7;
- 1774 (6) Commission on the Deaf and Hearing Impaired, established  
1775 under section 46a-27;
- 1776 (7) Advisory and planning councils for regional centers for the  
1777 mentally retarded, established under section 17a-273;

- 1778       (8) Repealed by P.A. 01-141, S. 15, 16;
- 1779       (9) Repealed by P.A. 94-245, S. 45, 46;
- 1780       (10) Repealed by P.A. 85-613, S. 153, 154;
- 1781       (11) State Library Board, established under section 11-1;
- 1782       (12) Advisory Council for Special Education, established under  
1783 section 10-76i;
- 1784       (13) Repealed by June 30 Sp. Sess. P.A. 03-6, S. 248;
- 1785       (14) Repealed by June 30 Sp. Sess. P.A. 03-6, S. 248;
- 1786       (15) Repealed by P.A. 89-362, S. 4, 5;
- 1787       (16) Repealed by June Sp. Sess. P.A. 91-14, S. 28, 30;
- 1788       (17) Repealed by P.A. 90-230, S. 100, 101;
- 1789       (18) State Commission on Capitol Preservation and Restoration,  
1790 established under section 4b-60;
- 1791       (19) Repealed by P.A. 90-230, S. 100, 101; and
- 1792       (20) Examining Board for Crane Operators, established under  
1793 section 29-222.
- 1794       Sec. 37. Section 4-9a of the general statutes is repealed and the  
1795 following is substituted in lieu thereof (*Effective July 1, 2009*):
- 1796       (a) The Governor shall appoint the chairperson and executive  
1797 director, if any, of all boards and commissions within the Executive  
1798 Department, except the Board of Governors of Higher Education,  
1799 provided the Governor shall appoint the initial chairman of said board  
1800 as provided in section 10a-2, the State Properties Review Board, the  
1801 State Elections Enforcement Commission, the Commission on Human  
1802 Rights and Opportunities, the Citizen's Ethics Advisory Board [, the

1803 Commission on Aging] and the Commission on Fire Prevention and  
1804 Control.

1805 (b) Public members shall constitute not less than one-third of the  
1806 members of each board and commission within the Executive  
1807 Department, except the Gaming Policy Board and the Commission on  
1808 Human Rights and Opportunities. Public member means an elector of  
1809 the state who has no substantial financial interest in, is not employed  
1810 in or by, and is not professionally affiliated with, any industry,  
1811 profession, occupation, trade or institution regulated or licensed by the  
1812 relevant board or commission, and who has had no professional  
1813 affiliation with any such industry, profession, occupation, trade or  
1814 institution for three years preceding his appointment to the board or  
1815 commission. Except as otherwise specifically provided by the general  
1816 statutes, this section shall not apply to the Commission on Fire  
1817 Prevention and Control, boards and commissions the membership of  
1818 which is entirely composed of state department heads, elected officials  
1819 or deputies appointed by such department heads or where the  
1820 membership of such board or commission is determined in accordance  
1821 with the provisions of any federal law.

1822 (c) Notwithstanding any provision of law to the contrary, the term  
1823 of each member of each board and commission within the executive  
1824 branch, except the State Board of Education, the Board of Governors of  
1825 Higher Education, the Gaming Policy Board, the Commission on  
1826 Human Rights and Opportunities, the State Elections Enforcement  
1827 Commission, the State Properties Review Board, the Citizen's Ethics  
1828 Advisory Board, the Commission on Medicolegal Investigations, the  
1829 Psychiatric Security Review Board, the Commission on Fire Prevention  
1830 and Control, the E 9-1-1 Commission, the Connecticut Commission on  
1831 Culture and Tourism [, the Commission on Aging] and the board of  
1832 trustees of each constituent unit of the state system of higher  
1833 education, commencing on or after July 1, 1979, shall be coterminous  
1834 with the term of the Governor or until a successor is chosen, whichever  
1835 is later.

1836 (d) Each member of each board and commission within the  
1837 executive branch shall serve at the pleasure of the appointing authority  
1838 except where otherwise specifically provided by any provision of the  
1839 general statutes.

1840 Sec. 38. Section 3-123aa of the general statutes is repealed and the  
1841 following is substituted in lieu thereof (*Effective July 1, 2009*):

1842 (a) For purposes of sections 3-123aa to 3-123ff, inclusive, as  
1843 amended by this act:

1844 (1) "Depositor" means any person making a deposit, payment,  
1845 contribution, gift or other deposit to the trust pursuant to a  
1846 participation agreement.

1847 (2) "Designated beneficiary" means any individual who has been  
1848 designated as a beneficiary in the participation agreement, and may  
1849 include any individual who enters into a participation agreement or is  
1850 subsequently designated as a spouse or the partner to a civil union of  
1851 the designated beneficiary.

1852 (3) "Eligible home care provider" means (A) a provider licensed in  
1853 Connecticut to perform home care services, (B) a homemaker or  
1854 companion service that is registered with the Department of Consumer  
1855 Protection, (C) licensed transportation services, or (D) a personal care  
1856 assistant.

1857 (4) "Instrumental activities of daily living" means activities related to  
1858 independent living necessary to maintain an individual in their home  
1859 or other noninstitutional setting, and includes, but is not limited to,  
1860 adult day care, chore services, companion services, meal preparation  
1861 or home-delivered meals, or transportation or homemaker services.

1862 (5) "Participation agreement" means the agreement between the  
1863 trust and depositors for participation in a savings plan for a designated  
1864 beneficiary.

1865 (6) "Qualified home care expenses" means the cost of services  
1866 performed by an eligible home care provider for the instrumental  
1867 activities of daily living, and the cost of any other service  
1868 recommended by a physician and provided by an eligible home care  
1869 provider.

1870 (7) "Trust" means the Connecticut Home Care Trust Fund.

1871 (b) There is established the Connecticut Homecare Option Program  
1872 for the Elderly, to allow individuals to plan for the cost of services that  
1873 will allow them to remain in their homes or in a noninstitutional  
1874 setting as they age. The Comptroller shall establish the Connecticut  
1875 Home Care Trust Fund, which shall be comprised of individual  
1876 savings accounts for those qualified home care expenses not covered  
1877 by a long-term care insurance policy and for those qualified home care  
1878 expenses that supplement the coverage provided by a long-term care  
1879 policy or Medicare. Withdrawals from the fund may be used for  
1880 qualified home care expenses, upon receipt by the fund of a  
1881 physician's certification that the designated beneficiary is in need of  
1882 services for the instrumental activities of daily living. Upon the death  
1883 of a designated beneficiary, any available funds in such beneficiary's  
1884 account shall be an asset of the estate of such beneficiary.

1885 (c) There is established an advisory committee to the Connecticut  
1886 Homecare Option Program for the Elderly, which shall consist of the  
1887 State Treasurer, the Comptroller, the Commissioner of Social Services,  
1888 [a representative of the Commission on Aging,] the director of the  
1889 long-term care partnership policy program within the Office of Policy  
1890 and Management, and the cochairpersons and ranking members of the  
1891 joint standing committees of the General Assembly having cognizance  
1892 of matters relating to human services and finance, revenue and  
1893 bonding and the cochairpersons and ranking members of the select  
1894 committee having cognizance of matters relating to aging, or their  
1895 designees. The Governor shall appoint one provider of home care  
1896 services for the elderly and a physician specializing in geriatric care.

1897 The advisory committee shall meet at least annually. The State  
1898 Comptroller shall convene the meetings of the committee.

1899 Sec. 39. Section 4-61t of the general statutes is repealed and the  
1900 following is substituted in lieu thereof (*Effective July 1, 2009*):

1901 There shall be established a Committee on Career Entry and  
1902 Mobility, appointed by the Commissioner of Administrative Services  
1903 and chaired by the Commissioner of Administrative Services or his  
1904 designee, which shall include a representative of the Office of Policy  
1905 and Management, a representative of the Department of  
1906 Administrative Services who is involved in classification activity, a  
1907 representative of the Commission on Human Rights and  
1908 Opportunities, [a representative of the Permanent Commission on the  
1909 Status of Women,] a representative of the Office of Protection and  
1910 Advocacy for Persons with Disabilities and ten additional persons, two  
1911 of whom shall be state agency personnel administrators, four of whom  
1912 shall be labor representatives and four of whom shall be employed in  
1913 state service and familiar with the problems of career mobility,  
1914 affirmative action, the implementation of corrective programs, and the  
1915 accommodation and entry level needs of persons with disabilities. The  
1916 committee shall determine how career counseling can be best provided  
1917 and training opportunities best met and made available within the  
1918 funds allotted. The committee shall also develop mechanisms to  
1919 communicate information about state employment opportunities to  
1920 state employees and persons with disabilities who wish to become  
1921 state employees. The committee shall advise the Commissioner of  
1922 Administrative Services concerning broader usage of classification  
1923 titles affecting upward mobility, the entry level employment of  
1924 persons with disabilities and an effective procedure for reporting  
1925 compliance to the legislature. The committee shall prepare written  
1926 guidelines for implementation of the career mobility program  
1927 described in subsection (a) of section 4-61u, section 4-61w and this  
1928 section and the entry level employment program for persons with  
1929 disabilities described in subsection (b) of section 4-61u and this section.

1930 The committee shall meet at least once each quarter and shall submit  
1931 periodic reports to the Commissioner of Administrative Services.

1932 Sec. 40. Subsection (a) of section 4-67x of the general statutes is  
1933 repealed and the following is substituted in lieu thereof (*Effective July*  
1934 *1, 2009*):

1935 (a) There shall be a Child Poverty and Prevention Council consisting  
1936 of the following members or their designees: The Secretary of the  
1937 Office of Policy and Management, the president pro tempore of the  
1938 Senate, the speaker of the House of Representatives, the minority  
1939 leader of the Senate and the minority leader of the House of  
1940 Representatives, the Commissioners of Children and Families, Social  
1941 Services, Correction, Developmental Services, Mental Health and  
1942 Addiction Services, Transportation, Public Health, Education,  
1943 Economic and Community Development and Health Care Access, the  
1944 Labor Commissioner, the Chief Court Administrator, the chairperson  
1945 of the Board of Governors of Higher Education, the Child Advocate,  
1946 the chairperson of the Children's Trust Fund and the executive  
1947 [directors of the Commission on Children and] director of the  
1948 Commission on Human Rights and Opportunities. The Secretary of the  
1949 Office of Policy and Management, or the secretary's designee, shall be  
1950 the chairperson of the council. The council shall (1) develop and  
1951 promote the implementation of a ten-year plan, to begin June 8, 2004,  
1952 to reduce the number of children living in poverty in the state by fifty  
1953 per cent, and (2) within available appropriations, establish prevention  
1954 goals and recommendations and measure prevention service outcomes  
1955 in accordance with this section in order to promote the health and  
1956 well-being of children and families.

1957 Sec. 41. Section 4-124bb of the general statutes is repealed and the  
1958 following is substituted in lieu thereof (*Effective July 1, 2009*):

1959 (a) The Office of Workforce Competitiveness [, in consultation with  
1960 the Permanent Commission on the Status of Women,] shall, within  
1961 available appropriations, establish a Connecticut Career Ladder

1962 Advisory Committee which shall promote the creation of new career  
1963 ladder programs and the enhancement of existing career ladder  
1964 programs for occupations in this state with a projected workforce  
1965 shortage, as forecasted by the Office of Workforce Competitiveness  
1966 pursuant to section 4-124w.

1967 (b) The Connecticut Career Ladder Advisory Committee shall be  
1968 comprised of the following thirteen members: (1) The Commissioners  
1969 of Education, Higher Education and Public Health, or their designees;  
1970 (2) the Labor Commissioner, or a designee; and (3) the following  
1971 public members, all of whom shall be selected by the Office of  
1972 Workforce Competitiveness [, in conjunction with the Permanent  
1973 Commission on the Status of Women,] and knowledgeable about  
1974 issues relative to career ladder programs or projected workforce  
1975 shortage areas: (A) One member with expertise in the development of  
1976 the early childhood education workforce; (B) one member with  
1977 expertise in job training for women; (C) one member with expertise in  
1978 the development of the health care workforce; (D) one member with  
1979 expertise in labor market analysis; (E) one member representing health  
1980 care employers; (F) one member representing early childhood  
1981 education employers; and (G) three members with expertise in  
1982 workforce development programs.

1983 (c) All appointments to the advisory committee shall be made no  
1984 later than October 1, 2003. Any vacancy shall be filled by the  
1985 appointing authority. Members shall serve two-year terms and no  
1986 public member shall serve for more than two consecutive terms.

1987 (d) The advisory committee shall elect two cochairpersons from  
1988 among its members. The advisory committee shall meet at least  
1989 bimonthly. Members of the advisory committee shall serve without  
1990 compensation, except for necessary expenses incurred in the  
1991 performance of their duties.

1992 (e) For purposes of this section and section 4-124cc, "career ladder"  
1993 means any continuum of education and training that leads to a



1994 credential, certificate, license or degree and results in career  
1995 advancement or the potential to earn higher wages in an occupation  
1996 with a projected workforce shortage, as forecasted by the Office of  
1997 Workforce Competitiveness pursuant to section 4-124w.

1998 Sec. 42. Subsection (d) of section 7-127c of the general statutes is  
1999 repealed and the following is substituted in lieu thereof (*Effective July*  
2000 *1, 2009*):

2001 (d) The Department of Education may adopt and disseminate to  
2002 municipalities guidelines as to the role and duties of municipal agents  
2003 and such informational and technical materials as may assist such  
2004 agents in the performance of their duties. The department [, in  
2005 collaboration with the Commission on Children,] may provide training  
2006 for municipal agents within the available resources of the department  
2007 and the commission.

2008 Sec. 43. Section 8-132 of the general statutes is repealed and the  
2009 following is substituted in lieu thereof (*Effective July 1, 2009*):

2010 (a) Any person claiming to be aggrieved by the statement of  
2011 compensation filed by the redevelopment agency may, at any time  
2012 within six months after the statement of compensation has been filed,  
2013 apply to the superior court for the judicial district in which such  
2014 property is situated for a review of such statement of compensation so  
2015 far as it affects such applicant. The court, after causing notice of the  
2016 pendency of such application to be given to the redevelopment agency,  
2017 may, with the consent of the parties or their attorneys, appoint a judge  
2018 trial referee to make a review of the statement of compensation, except  
2019 that the court shall, upon the motion of either party or their attorneys,  
2020 refer the application to a judge appointed by the Chief Court  
2021 Administrator to hear tax appeals pursuant to section 12-39l, who shall  
2022 consider such application in the manner set forth in subsection (c) of  
2023 this section. For the purposes of such application, review and appeal  
2024 therefrom, and for the purposes of sections 52-192a to 52-195, inclusive,  
2025 such applicant shall be deemed a counterclaim plaintiff.

2026 [Notwithstanding the provisions of this subsection, upon motion of  
2027 both parties or their attorneys, the court shall refer the application to  
2028 the Ombudsman for Property Rights for a hearing pursuant to  
2029 subdivision (2) of subsection (b) of this section.]

2030 (b) [(1)] If the court appoints a judge trial referee, the judge trial  
2031 referee, after giving at least ten days' notice to the parties interested of  
2032 the time and place of hearing, shall hear the applicant and the  
2033 redevelopment agency, shall view the property and take such  
2034 testimony as the judge trial referee deems material and shall thereupon  
2035 revise such statement of compensation in such manner as the judge  
2036 trial referee deems proper and promptly report to the court. Such  
2037 report shall contain a detailed statement of findings by the judge trial  
2038 referee sufficient to enable the court to determine the considerations  
2039 upon which the judge trial referee's conclusions are based. The report  
2040 of the judge trial referee shall take into account any evidence relevant  
2041 to the fair market value of the property, including evidence of  
2042 environmental condition and required environmental remediation.  
2043 The judge trial referee shall make a separate finding for remediation  
2044 costs and the property owner shall be entitled to a set-off of such costs  
2045 in any pending or subsequent action to recover remediation costs for  
2046 the property. The court shall review the report, and may reject the  
2047 report for any irregular or improper conduct in the performance of the  
2048 duties of the judge trial referee. If the court rejects the report, the court  
2049 may appoint another judge trial referee to make such review and  
2050 report. [or may refer the application to the Ombudsman for Property  
2051 Rights upon motion as provided in subsection (a) of this section.] If the  
2052 court accepts the report, the statement of compensation in the report  
2053 shall be conclusive upon such owner and the redevelopment agency.

2054 [(2) If the court refers the application to the Ombudsman for  
2055 Property Rights pursuant to subsection (a) of this section, the  
2056 ombudsman, after giving at least ten days' notice to the parties  
2057 interested of the time and place of hearing, shall hear the applicant and  
2058 the redevelopment agency, shall view the property and take such

2059 testimony as the ombudsman deems material and shall thereupon  
2060 revise such statement of compensation in such manner as the  
2061 ombudsman deems proper and promptly report to the court. Such  
2062 report shall contain a detailed statement of findings by the  
2063 ombudsman sufficient to enable the court to determine the  
2064 considerations upon which the ombudsman's conclusions are based.  
2065 The report of the ombudsman shall take into account any evidence  
2066 relevant to the fair market value of the property, including evidence of  
2067 environmental condition and required environmental remediation.  
2068 The ombudsman shall make a separate finding for remediation costs  
2069 and the property owner shall be entitled to a set-off of such costs in  
2070 any pending or subsequent action to recover remediation costs for the  
2071 property. The report submitted by the ombudsman shall constitute a  
2072 part of the proceeding, and the statement of compensation in the  
2073 report shall be conclusive upon such owner and the redevelopment  
2074 agency.]

2075 (c) If the court does not appoint a judge trial referee, [or refer the  
2076 application to the Ombudsman for Property Rights,] the court, after  
2077 giving at least ten days' notice to the parties interested of the time and  
2078 place of hearing, shall hear the applicant and the redevelopment  
2079 agency and take such testimony as the court deems material, may view  
2080 the subject property, and shall make a finding regarding the statement  
2081 of compensation. The findings of the court shall take into account any  
2082 evidence relevant to the fair market value of the property, including  
2083 evidence of environmental condition and required environmental  
2084 remediation. The court shall make a separate finding for remediation  
2085 costs and the property owner shall be entitled to a set-off of such costs  
2086 in any pending or subsequent action to recover remediation costs for  
2087 the property. The findings of the court shall be conclusive upon such  
2088 owner and the redevelopment agency.

2089 (d) If no appeal to the Appellate Court is filed within the time  
2090 allowed by law, or if an appeal is filed and the proceedings have  
2091 terminated in a final judgment finding the amount due the property

owner, the clerk shall send a certified copy of the statement of compensation and of the judgment to the redevelopment agency, which shall, upon receipt thereof, pay such property owner the amount due as compensation. The pendency of any such application for review shall not prevent or delay any action that is proposed with regard to such property by the project area redevelopment plan.

Sec. 44. Subsection (c) of section 10-16n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(c) There is established a committee to advise the Commissioner of Education concerning the coordination, priorities for allocation and distribution, and utilization of funds for Head Start and concerning the competitive grant program established under this section, and to evaluate programs funded pursuant to this section. The committee shall consist of [twelve] eleven members as follows: One member designated by the Commissioner of Social Services; six members who are directors of Head Start programs, two from community action agency program sites or school readiness coordinators, one of whom shall be appointed by the president pro tempore of the Senate and one by the speaker of the House of Representatives, two from school program sites, one of whom shall be appointed by the majority leader of the Senate and one by the majority leader of the House of Representatives, and two from other nonprofit agency program sites, one of whom shall be appointed by the minority leader of the Senate and one by the minority leader of the House of Representatives; [one member designated by the Commission on Children;] one member designated by the Early Childhood Education Council; one member designated by the Head Start Directors Association who shall be the parent of a present or former Head Start student; one member designated by the Connecticut Association for Community Action who shall have expertise and experience concerning Head Start; and one member designated by the Office of Human Development Services, Office of Community Programs, Region 1 of the federal Department of

2125 Health and Human Services.

2126 Sec. 45. Subsection (b) of section 10-145a of the general statutes is  
2127 repealed and the following is substituted in lieu thereof (*Effective July*  
2128 *1, 2009*):

2129 (b) Any candidate in a program of teacher preparation leading to  
2130 professional certification shall be encouraged to successfully complete  
2131 an intergroup relations component of such a program which shall be  
2132 developed with the participation of both sexes, and persons of various  
2133 ethnic, cultural and economic backgrounds. Such intergroup relations  
2134 program shall have the following objectives: (1) The imparting of an  
2135 appreciation of the contributions to American civilization of the  
2136 various ethnic, cultural and economic groups composing American  
2137 society and an understanding of the life styles of such groups; (2) the  
2138 counteracting of biases, discrimination and prejudices; and (3) the  
2139 assurance of respect for human diversity and personal rights. The State  
2140 Board of Education, the Board of Governors of Higher Education [,]  
2141 and the Commission on Human Rights and Opportunities [and the  
2142 Permanent Commission on the Status of Women] shall establish a joint  
2143 committee composed of members of the four agencies, which shall  
2144 develop and implement such programs in intergroup relations.

2145 Sec. 46. Subsection (b) of section 10-16s of the general statutes is  
2146 repealed and the following is substituted in lieu thereof (*Effective July*  
2147 *1, 2009*):

2148 (b) (1) There shall be an Early Childhood Education Cabinet. The  
2149 cochairpersons of the cabinet shall be the Governor, or the Governor's  
2150 designee, and the Commissioner of Education, or the commissioner's  
2151 designee. The cabinet shall consist of the Secretary of the Office of  
2152 Policy and Management or the secretary's designee, the  
2153 Commissioners of Social Services, Higher Education, Public Health,  
2154 Children and Families and Developmental Services or the  
2155 commissioners' designees, the cochairpersons of each of the joint  
2156 standing committees of the General Assembly having cognizance of

2157 matters relating to education and human services or the  
2158 cochairpersons' designees [, the executive director of the Commission  
2159 on Children, or the director's designee,] and one person representing a  
2160 local or regional school readiness council appointed by the president  
2161 pro tempore of the Senate, and a representative of the Connecticut  
2162 Head Start Association appointed by the speaker of the House of  
2163 Representatives. The Department of Education shall provide  
2164 administrative services to the Early Childhood Education Cabinet and  
2165 the Governor's Early Childhood Research and Policy Council  
2166 established pursuant to Executive Order No. 13, issued by Governor  
2167 M. Jodi Rell, on February 7, 2006.

2168 Sec. 47. Section 10-16v of the general statutes is repealed and the  
2169 following is substituted in lieu thereof (*Effective July 1, 2009*):

2170 (a) The Commissioner of Education, in consultation with the  
2171 Commissioner of Social Services, [and the executive director of the  
2172 Commission on Children,] shall establish an after school committee.

2173 (b) The after school committee shall be appointed by the  
2174 Commissioner of Education, in consultation with the Commissioner of  
2175 Social Services, [and the executive director of the Commission on  
2176 Children] and shall include, but not be limited to, persons having  
2177 expertise in after school programs, after school program providers,  
2178 local elected officials, members of community agencies, members of  
2179 the business community and professional educators.

2180 (c) The after school committee may report on and make  
2181 recommendations, including, but not be limited to, the following: (1)  
2182 Identification of existing state, federal and private resources to support  
2183 and sustain after school programs; (2) methods and practices to  
2184 enhance coordination and goal setting among state agencies to achieve  
2185 efficiencies and to encourage training and local technical assistance  
2186 with respect to after school programs; (3) identification of best  
2187 practices; (4) methods of encouraging community-based providers; (5)  
2188 professional development; (6) measures to address barriers to after

2189 school programs; and (7) a private and public governance structure  
2190 that ensures sustainability for after school programs.

2191 (d) The Commissioner of Education may seek and accept funding  
2192 from private organizations that do not receive grants or other funding  
2193 from the Department of Education to implement the provisions of this  
2194 section.

2195 (e) The after school committee shall report, in accordance with  
2196 section 11-4a, its findings pursuant to this section to the General  
2197 Assembly by February 1, 2004.

2198 Sec. 48. Section 17a-56a of the general statutes is repealed and the  
2199 following is substituted in lieu thereof (*Effective July 1, 2009*):

2200 (a) There is established a Nurturing Families Network Advisory  
2201 Commission to monitor the state-wide system for the Nurturing  
2202 Families Network developed pursuant to section 17a-56. The  
2203 commission shall consist of: (1) One member appointed by the speaker  
2204 of the House of Representatives and one member appointed by the  
2205 president pro tempore of the Senate, who shall be members of the  
2206 General Assembly; (2) one member appointed by the minority leader  
2207 of the House of Representatives and one member appointed by the  
2208 minority leader of the Senate, who shall be members of the General  
2209 Assembly; (3) a representative of the Governor; (4) the Commissioner  
2210 of Children and Families, or his designee; (5) the Commissioner of  
2211 Social Services, or his designee; (6) the Commissioner of Public Health,  
2212 or his designee; (7) the Commissioner of Education, or his designee; (8)  
2213 the Secretary of the Office of Policy and Management, or his designee;  
2214 (9) [the executive director of the Commission on Children, or his  
2215 designee; (10)] a representative of the Child Advocate's Office, who  
2216 shall be appointed by the minority leader of the House of  
2217 Representatives; and [(11)] (10) a representative of the Connecticut  
2218 Chapter of the National Committee to Prevent Child Abuse who shall  
2219 be appointed by the majority leader of the Senate.

2220 (b) The commission shall be responsible for: (1) Reviewing the  
2221 Nurturing Families Network pilot sites and advising the General  
2222 Assembly on outcomes and recommending program modifications, if  
2223 necessary; (2) preparing plans to implement the Nurturing Families  
2224 Network on a state-wide basis; (3) monitoring cooperative,  
2225 coordinated approaches of state and private agencies involved in the  
2226 Nurturing Families Network and expanding such approaches to  
2227 incorporate other, similar activities; (4) studying state and privately  
2228 funded home visitation programs as an initial step in establishing a  
2229 cost-effective, collaborative and comprehensive Nurturing Families  
2230 Network system; (5) monitoring the effects of welfare reform on the  
2231 factors associated with the risk of child abuse; and (6) building a  
2232 network of public and private state, regional and local organizations  
2233 for the purpose of collaborating to strengthen and support families  
2234 with newborns and children up to the age of five.

2235 Sec. 49. Section 17a-219c of the general statutes is repealed and the  
2236 following is substituted in lieu thereof (*Effective July 1, 2009*):

2237 (a) There is established a Family Support Council to assist the  
2238 Department of Developmental Services and other state agencies that  
2239 administer or fund family support services to act in concert and,  
2240 within available appropriations, to (1) establish a comprehensive,  
2241 coordinated system of family support services, (2) use existing state  
2242 and other resources efficiently and effectively as appropriate for such  
2243 services, (3) identify and address services that are needed for families  
2244 of children with disabilities, and (4) promote state-wide availability of  
2245 such services. The council shall consist of ~~[twenty-seven]~~ twenty-six  
2246 voting members including the Commissioners of Public Health,  
2247 Developmental Services, Children and Families, Education and Social  
2248 Services, or their designees, the Child Advocate, the executive director  
2249 of the Office of Protection and Advocacy for Persons with Disabilities,  
2250 the chairperson of the State Interagency Birth-to-Three Coordinating  
2251 Council, as established pursuant to section 17a-248b, [the executive  
2252 director of the Commission on Children,] and family members of, or



2253 individuals who advocate for, children with disabilities. The family  
2254 members or individuals who advocate for children with disabilities  
2255 shall comprise two-thirds of the council and shall be appointed as  
2256 follows: Six by the Governor, three by the president pro tempore of the  
2257 Senate, two by the majority leader of the Senate, one by the minority  
2258 leader of the Senate, three by the speaker of the House of  
2259 Representatives, two by the majority leader of the House of  
2260 Representatives and one by the minority leader of the House of  
2261 Representatives. Members shall be appointed for a term of four years.  
2262 Members shall be limited to two consecutive terms. The council shall  
2263 meet at least quarterly and shall select its own chairperson. Council  
2264 members shall serve without compensation but shall be reimbursed for  
2265 necessary expenses incurred. The costs of administering the council  
2266 shall be within available appropriations in accordance with sections  
2267 17a-219a to 17a-219c, inclusive, as amended by this act.

2268 (b) The council shall: (1) Gather input and develop a vision and  
2269 guidelines for family support services in Connecticut; (2) review  
2270 existing program policies, procedures and funding mechanisms for  
2271 conformity to the guidelines and make appropriate recommendations;  
2272 (3) monitor the implementation of the guidelines and  
2273 recommendations; (4) report to the Governor and the General  
2274 Assembly on an annual basis regarding the status of family support  
2275 services, including the implementation of the guidelines and  
2276 recommendations; (5) advocate for family support services in  
2277 accordance with the guidelines; (6) compile and distribute information  
2278 on family support services within public and private agencies; and (7)  
2279 perform such other duties as are related to the advancement of family  
2280 centered supports, policies and services.

2281 Sec. 50. Section 17b-28 of the general statutes is repealed and the  
2282 following is substituted in lieu thereof (*Effective July 1, 2009*):

2283 (a) There is established a council which shall advise the  
2284 Commissioner of Social Services on the planning and implementation

2285 of a system of Medicaid managed care and shall monitor such  
2286 planning and implementation and shall advise the Waiver Application  
2287 Development Council, established pursuant to section 17b-28a, on  
2288 matters including, but not limited to, eligibility standards, benefits,  
2289 access and quality assurance. The council shall be composed of the  
2290 chairpersons and ranking members of the joint standing committees of  
2291 the General Assembly having cognizance of matters relating to human  
2292 services, public health and appropriations and the budgets of state  
2293 agencies, or their designees; two members of the General Assembly,  
2294 one to be appointed by the president pro tempore of the Senate and  
2295 one to be appointed by the speaker of the House of Representatives;  
2296 [the director of the Commission on Aging, or a designee; the director  
2297 of the Commission on Children, or a designee;] two community  
2298 providers of health care, to be appointed by the president pro tempore  
2299 of the Senate; two representatives of the insurance industry, to be  
2300 appointed by the speaker of the House of Representatives; two  
2301 advocates for persons receiving Medicaid, one to be appointed by the  
2302 majority leader of the Senate and one to be appointed by the minority  
2303 leader of the Senate; one advocate for persons with substance use  
2304 disorders, to be appointed by the majority leader of the House of  
2305 Representatives; one advocate for persons with psychiatric disabilities,  
2306 to be appointed by the minority leader of the House of  
2307 Representatives; two advocates for the Department of Children and  
2308 Families foster families, one to be appointed by the president pro  
2309 tempore of the Senate and one to be appointed by the speaker of the  
2310 House of Representatives; two members of the public who are  
2311 currently recipients of Medicaid, one to be appointed by the majority  
2312 leader of the House of Representatives and one to be appointed by the  
2313 minority leader of the House of Representatives; two representatives  
2314 of the Department of Social Services, to be appointed by the  
2315 Commissioner of Social Services; two representatives of the  
2316 Department of Public Health, to be appointed by the Commissioner of  
2317 Public Health; two representatives of the Department of Mental Health  
2318 and Addiction Services, to be appointed by the Commissioner of

2319 Mental Health and Addiction Services; two representatives of the  
2320 Department of Children and Families, to be appointed by the  
2321 Commissioner of Children and Families; two representatives of the  
2322 Office of Policy and Management, to be appointed by the Secretary of  
2323 the Office of Policy and Management; one representative of the office  
2324 of the State Comptroller, to be appointed by the State Comptroller and  
2325 the members of the Health Care Access Board who shall be ex-officio  
2326 members and who may not designate persons to serve in their place.  
2327 The council shall choose a chair from among its members. The joint  
2328 committee on Legislative Management shall provide administrative  
2329 support to such chair. The council shall convene its first meeting no  
2330 later than June 1, 1994.

2331 (b) The council shall make recommendations concerning (1)  
2332 guaranteed access to enrollees and effective outreach and client  
2333 education; (2) available services comparable to those already in the  
2334 Medicaid state plan, including those guaranteed under the federal  
2335 Early and Periodic Screening, Diagnostic and Treatment Services  
2336 Program under 42 USC 1396d; (3) the sufficiency of provider networks;  
2337 (4) the sufficiency of capitated rates provider payments, financing and  
2338 staff resources to guarantee timely access to services; (5) participation  
2339 in managed care by existing community Medicaid providers; (6) the  
2340 linguistic and cultural competency of providers and other program  
2341 facilitators; (7) quality assurance; (8) timely, accessible and effective  
2342 client grievance procedures; (9) coordination of the Medicaid managed  
2343 care plan with state and federal health care reforms; (10) eligibility  
2344 levels for inclusion in the program; (11) cost-sharing provisions; (12) a  
2345 benefit package; (13) coordination with coverage under the HUSKY  
2346 Plan, Part B; (14) the need for program quality studies within the areas  
2347 identified in this section and the department's application for available  
2348 grant funds for such studies; (15) the managed care portion of the  
2349 state-administered general assistance program; and (16) other issues  
2350 pertaining to the development of a Medicaid Research and  
2351 Demonstration Waiver under Section 1115 of the Social Security Act.

2352 (c) The Commissioner of Social Services shall seek a federal waiver  
2353 for the Medicaid managed care plan. Implementation of the Medicaid  
2354 managed care plan shall not occur before July 1, 1995.

2355 (d) The Commissioner of Social Services shall provide monthly  
2356 reports on the plans and implementation of the Medicaid managed  
2357 care system to the council.

2358 (e) The council shall report its activities and progress once each  
2359 quarter to the General Assembly.

2360 Sec. 51. Section 17b-297 of the general statutes is repealed and the  
2361 following is substituted in lieu thereof (*Effective July 1, 2009*):

2362 (a) The commissioner, in consultation with the Children's Health  
2363 Council, the Medicaid Managed Care Council and the 2-1-1 Infoline  
2364 program, shall develop mechanisms to increase outreach and  
2365 maximize enrollment of eligible children and adults in the HUSKY  
2366 Plan, Part A or Part B, including, but not limited to, development of  
2367 mail-in applications and appropriate outreach materials through the  
2368 Department of Revenue Services, the Labor Department, the  
2369 Department of Social Services, the Department of Public Health, the  
2370 Department of Children and Families and the Office of Protection and  
2371 Advocacy for Persons with Disabilities. Such mechanisms shall seek to  
2372 maximize federal funds where appropriate for such outreach activities.

2373 (b) The commissioner shall include in such outreach efforts  
2374 information on the Medicaid program for the purpose of maximizing  
2375 enrollment of eligible children and the use of federal funds.

2376 (c) The commissioner shall, within available appropriations,  
2377 contract with severe need schools and community-based organizations  
2378 for purposes of public education, outreach and recruitment of eligible  
2379 children, including the distribution of applications and information  
2380 regarding enrollment in the HUSKY Plan, Part A and Part B. In  
2381 awarding such contracts, the commissioner shall consider the

2382 marketing, outreach and recruitment efforts of organizations. For the  
2383 purposes of this subsection, (1) "community-based organizations" shall  
2384 include, but not be limited to, day care centers, schools, school-based  
2385 health clinics, community-based diagnostic and treatment centers and  
2386 hospitals, and (2) "severe need school" means a school in which forty  
2387 per cent or more of the lunches served are served to students who are  
2388 eligible for free or reduced price lunches.

2389 (d) The commissioner, in consultation with [the Latino and Puerto  
2390 Rican Affairs Commission, the African-American Affairs Commission,]  
2391 representatives from minority community-based organizations and  
2392 any other state and local organizations deemed appropriate by the  
2393 commissioner, shall develop and implement outreach efforts that  
2394 target medically underserved children and adults, particularly Latino  
2395 and other minority children and adults, to increase enrollment of such  
2396 children and adults in the HUSKY Plan, Part A or Part B. Such efforts  
2397 shall include, but not be limited to, developing culturally appropriate  
2398 outreach materials, advertising through Latino media outlets and other  
2399 minority media outlets, and the public education, outreach and  
2400 recruitment activities described in subsections (a) to (c), inclusive, of  
2401 this section.

2402 (e) All outreach materials shall be approved by the commissioner  
2403 pursuant to Subtitle J of Public Law 105-33, as amended from time to  
2404 time.

2405 (f) Not later than January 1, 2008, and annually thereafter, the  
2406 commissioner shall submit a report to the Governor and the General  
2407 Assembly on the implementation of and the results of the community-  
2408 based outreach programs specified in subsections (a) to (d), inclusive,  
2409 of this section.

2410 Sec. 52. Section 17b-338 of the general statutes is repealed and the  
2411 following is substituted in lieu thereof (*Effective July 1, 2009*):

2412 (a) There is established a Long-Term Care Advisory Council which

2413 shall consist of the following: (1) The [executive director of the  
2414 Commission on Aging, or the executive director's designee]  
2415 Commissioner of Social Services; (2) the State Nursing Home  
2416 Ombudsman, or the ombudsman's designee; (3) the president of the  
2417 Coalition of Presidents of Resident Councils, or the president's  
2418 designee; (4) the executive director of the Legal Assistance Resource  
2419 Center of Connecticut, or the executive director's designee; (5) the state  
2420 president of AARP, or the president's designee; (6) one representative  
2421 of a bargaining unit for health care employees, appointed by the  
2422 president of the bargaining unit; (7) the president of the Connecticut  
2423 Association of Not-For-Profit Providers for the Aging, or the  
2424 president's designee; (8) the president of the Connecticut Association  
2425 of Health Care Facilities, or the president's designee; (9) the president  
2426 of the Connecticut Association of Residential Care Homes, or the  
2427 president's designee; (10) the president of the Connecticut Hospital  
2428 Association or the president's designee; (11) the executive director of  
2429 the Connecticut Assisted Living Association or the executive director's  
2430 designee; (12) the executive director of the Connecticut Association for  
2431 Homecare or the executive director's designee; (13) the president of  
2432 Connecticut Community Care, Inc. or the president's designee; (14) one  
2433 member of the Connecticut Association of Area Agencies on Aging  
2434 appointed by the agency; (15) the president of the Connecticut chapter  
2435 of the Connecticut Alzheimer's Association; (16) one member of the  
2436 Connecticut Association of Adult Day Centers appointed by the  
2437 association; (17) the president of the Connecticut Chapter of the  
2438 American College of Health Care Administrators, or the president's  
2439 designee; (18) the president of the Connecticut Council for Persons  
2440 with Disabilities, or the president's designee; (19) the president of the  
2441 Connecticut Association of Community Action Agencies, or the  
2442 president's designee; (20) a personal care attendant appointed by the  
2443 speaker of the House of Representatives; (21) the president of the  
2444 Family Support Council, or the president's designee; (22) a person  
2445 who, in a home setting, cares for a person with a disability and is  
2446 appointed by the president pro tempore of the Senate; (23) three

2447 persons with a disability appointed one each by the majority leader of  
2448 the House of Representatives, the majority leader of the Senate and the  
2449 minority leader of the House of Representatives; (24) a legislator who  
2450 is a member of the Long-Term Care Planning Committee; and (25) one  
2451 member who is a nonunion home health aide appointed by the  
2452 minority leader of the Senate.

2453 (b) The council shall advise and make recommendations to the  
2454 Long-Term Care Planning Committee established under section 17b-  
2455 337.

2456 (c) The Long-Term Care Advisory Council shall seek  
2457 recommendations from persons with disabilities or persons receiving  
2458 long-term care services who reflect the socio-economic diversity of the  
2459 state.

2460 Sec. 53. Section 17b-367 of the general statutes is repealed and the  
2461 following is substituted in lieu thereof (*Effective July 1, 2009*):

2462 The Office of Policy and Management, within existing budgetary  
2463 resources and in consultation with the Select Committee on Aging, [the  
2464 Commission on Aging,] personnel designated by the Commissioner of  
2465 Social Services who administer the CHOICES health insurance  
2466 assistance program and the Long-Term Care Advisory Council, shall  
2467 develop a single consumer-oriented Internet website that provides  
2468 comprehensive information on long-term care options that are  
2469 available in Connecticut. The website shall also include direct links  
2470 and referral information regarding long-term care resources, including  
2471 private and nonprofit organizations offering advice, counseling and  
2472 legal services.

2473 Sec. 54. Section 17b-748 of the general statutes is repealed and the  
2474 following is substituted in lieu thereof (*Effective July 1, 2009*):

2475 There is established a Child Day Care Council consisting of the  
2476 Commissioner of Public Health, the Commissioner of Social Services,

2477 the Commissioner of Children and Families, the Commissioner of  
2478 Education and the Commissioner of Economic and Community  
2479 Development or a representative of each designated by him in writing  
2480 to serve as such representative, and sixteen other persons appointed by  
2481 the Governor. Said council shall be within the Department of Social  
2482 Services for administrative purposes only. Of the persons appointed by  
2483 the Governor, one shall be from among those recommended by the  
2484 Connecticut Association for Education of Young Children; one shall be  
2485 a member of a community council; one shall be a member of a  
2486 community action program; one shall be a member of a child  
2487 development or early childhood education department of a  
2488 Connecticut college or university; four shall be providers of child day  
2489 care services, two of whom shall be family day care providers, and two  
2490 shall be child day care center providers; [one shall be from among  
2491 those recommended by the Permanent Commission on the Status of  
2492 Women; one shall be from among those recommended by the  
2493 Connecticut Commission on Children;] one shall be from among those  
2494 recommended by the American Academy of Pediatrics; one shall be a  
2495 member of an advocacy group concerned with young children and  
2496 their families; one shall be from among those recommended by the  
2497 AFL-CIO Labor Council who is a member of organized labor; one shall  
2498 be a member of the Connecticut Business and Industry Association;  
2499 and two shall be parents, each of whom shall have a child enrolled in a  
2500 child day care service. The members of the council shall serve without  
2501 compensation but shall be reimbursed for necessary expenses incurred  
2502 in the course of their duties. The chairperson and the vice-chairperson  
2503 of the council shall be elected by the full membership of the council  
2504 from among the persons appointed by the Governor and shall serve  
2505 for a term of one year. The council shall meet at least ten times per  
2506 year. Any appointed member who fails to attend three consecutive  
2507 meetings or fails to attend fifty per cent of all meetings held during  
2508 any calendar year shall be deemed to have resigned. The council shall  
2509 recommend to the Commissioner of Public Health regulations which  
2510 shall effectuate the purposes of this section and sections 17b-733, 19a-



2511 77, 19a-79, 19a-80, 19a-82 to 19a-87, inclusive, and 19a-87b to 19a-87e,  
2512 inclusive, including regulations relating to licensing, operation,  
2513 program and professional qualifications of the staff of child day care  
2514 centers, group day care homes and family day care homes and shall  
2515 make recommendations to the Commissioner of Public Health on the  
2516 administration of said sections. The Child Day Care Council shall also  
2517 make recommendations to the Department of Social Services as the  
2518 lead agency for day care on grants management and the planning and  
2519 development of child day care services. In addition, the council shall  
2520 provide guidelines for drop-in supplementary child care operations.  
2521 Before making such recommendations, the council shall hold public  
2522 hearings and invite suggestions from parents of children utilizing child  
2523 day care services, as defined in section 19a-77, and from providers of  
2524 such services and other interested parties. The Child Day Care Council  
2525 shall study issues affecting child day care and make recommendations  
2526 to the General Assembly. The council shall serve as an advisory  
2527 committee to the Department of Social Services in the development of  
2528 the state child care plan required pursuant to the Child Care  
2529 Development and Improvement Act of 1990 and shall conduct biennial  
2530 public hearings on such state plan.

2531 Sec. 55. Section 19a-4j of the general statutes is repealed and the  
2532 following is substituted in lieu thereof (*Effective July 1, 2009*):

2533 (a) There is established, within the Department of Public Health, an  
2534 Office of Multicultural Health. The responsibility of the office is to  
2535 improve the health of all Connecticut residents by eliminating  
2536 differences in disease, disability and death rates among ethnic, racial  
2537 and cultural populations.

2538 (b) The department may apply for, accept and expend such funds as  
2539 may be available from federal, state or other sources and may enter  
2540 into contracts to carry out the responsibilities of the office.

2541 (c) The office shall:

2542 (1) With regard to health status: (A) Monitor the health status of  
2543 African Americans; Latinos/Hispanics; Native Americans/Alaskan  
2544 Natives; and Asians, Native Hawaiians and other Pacific Islanders; (B)  
2545 compare the results of the health status monitoring with the health  
2546 status of non-Hispanic Caucasians/whites; and (C) assess the  
2547 effectiveness of state programs in eliminating differences in health  
2548 status;

2549 (2) Assess the health education and health resource needs of ethnic,  
2550 racial and cultural populations listed in subdivision (1) of this  
2551 subsection; and

2552 (3) Maintain a directory of, and assist in development and  
2553 promotion of, multicultural and multiethnic health resources in  
2554 Connecticut.

2555 (d) The office may:

2556 (1) Provide grants for culturally appropriate health education  
2557 demonstration projects and may apply for, accept and expend public  
2558 and private funding for such projects; and

2559 (2) Recommend policies, procedures, activities and resource  
2560 allocations to improve health among racial, ethnic and cultural  
2561 populations in Connecticut.

2562 (e) The Commissioner of Public Health shall submit an annual  
2563 report concerning the activities of the office to the Governor[,] and the  
2564 General Assembly. [, the Permanent Commission on the Status of  
2565 Women established under section 46a-1, the Latino and Puerto Rican  
2566 Affairs Commission established under section 2-120, the Indian Affairs  
2567 Council established under section 47-59b and the Connecticut African-  
2568 American Affairs Commission.] The office shall also hold community  
2569 workshops and use other means to disseminate its findings state-wide.

2570 Sec. 56. Subsection (a) of section 19a-6g of the general statutes is  
2571 repealed and the following is substituted in lieu thereof (*Effective July*

2572 1, 2009):

2573 (a) There is established a HealthFirst Connecticut Authority  
2574 composed of the following members: Two appointed by the speaker of  
2575 the House of Representatives, one of whom is a health care provider  
2576 and one of whom represents businesses with fifty or more employees;  
2577 two appointed by the president pro tempore of the Senate, one of  
2578 whom has experience in community-based health care and one of  
2579 whom represents businesses with fewer than fifty employees; one  
2580 appointed by the majority leader of the House of Representatives who  
2581 represents consumers; one appointed by the majority leader of the  
2582 Senate who represents the interests of labor; one appointed by the  
2583 minority leader of the House of Representatives who represents health  
2584 insurance companies; one appointed by the minority leader of the  
2585 Senate who represents hospitals; and two appointed by the Governor,  
2586 one of whom advocates for health care quality or patient safety and  
2587 one with experience in information technology. The Insurance  
2588 Commissioner and the Commissioners of Public Health and Social  
2589 Services or their designees [, the Healthcare Advocate or the  
2590 Healthcare Advocate's designee, the executive director of the  
2591 Permanent Commission on the Status of Women or the executive  
2592 director's designee, the executive director of the African-American  
2593 Affairs Commission or the executive director's designee, the executive  
2594 director of the Latino and Puerto Rican Affairs Commission or the  
2595 executive director's designee] and the Comptroller or Comptroller's  
2596 designee shall be ex-officio, nonvoting members.

2597 Sec. 57. Section 19a-59c of the general statutes is repealed and the  
2598 following is substituted in lieu thereof (*Effective July 1, 2009*):

2599 (a) The Department of Public Health is authorized to administer the  
2600 federal Special Supplemental Food Program for Women, Infants and  
2601 Children in the state, in accordance with federal law and regulations.  
2602 The Commissioner of Public Health may adopt regulations, in  
2603 accordance with the provisions of chapter 54, necessary to administer

2604 the program.

2605 (b) There is established a Women, Infants and Children Advisory  
2606 Council consisting of the chairpersons of the joint standing committee  
2607 of the General Assembly having cognizance of matters relating to  
2608 public health; the Commissioner of Public Health or a designee; [the  
2609 executive director of the Commission on Children or a designee;] a  
2610 nutrition educator, appointed by the Governor; two local directors of  
2611 the Women, Infants and Children program, one each appointed by the  
2612 president pro tempore of the Senate and the speaker of the House of  
2613 Representatives; two recipients of assistance under the Women, Infants  
2614 and Children program, one each appointed by the majority leaders of  
2615 the Senate and the House of Representatives; and two representatives  
2616 of an anti-hunger organization, one each appointed by the minority  
2617 leaders of the Senate and the House of Representatives. Council  
2618 members shall serve for a term of two years. The chairperson and the  
2619 vice-chairperson of the council shall be elected by the full membership  
2620 of the council. Vacancies shall be filled by the appointing authority.  
2621 The council shall meet at least twice a year. Council members shall  
2622 serve without compensation. The council shall advise the Department  
2623 of Public Health on issues pertaining to increased participation and  
2624 access to services under the federal Special Supplemental Food  
2625 Program for Women, Infants and Children.

2626 Sec. 58. Subsection (a) of section 19a-112a of the general statutes is  
2627 repealed and the following is substituted in lieu thereof (*Effective July*  
2628 *1, 2009*):

2629 (a) There is created a Commission on the Standardization of the  
2630 Collection of Evidence in Sexual Assault Investigations composed of  
2631 [fourteen members as follows] the following members: The Chief  
2632 State's Attorney or a designee; [the executive director of the Permanent  
2633 Commission on the Status of Women or a designee;] the Commissioner  
2634 of Children and Families or a designee; one member from the Division  
2635 of State Police and one member from the Division of Scientific Services

2636 appointed by the Commissioner of Public Safety; one member from  
2637 Connecticut Sexual Assault Crisis Services, Inc. appointed by its board  
2638 of directors; one member from the Connecticut Hospital Association  
2639 appointed by the president of the association; one emergency  
2640 physician appointed by the president of the Connecticut College of  
2641 Emergency Physicians; one obstetrician-gynecologist and one  
2642 pediatrician appointed by the president of the Connecticut State  
2643 Medical Society; one nurse appointed by the president of the  
2644 Connecticut Nurses' Association; one emergency nurse appointed by  
2645 the president of the Emergency Nurses' Association of Connecticut;  
2646 and one police chief appointed by the president of the Connecticut  
2647 Police Chiefs Association. The Chief State's Attorney or a designee  
2648 shall be chairman of the commission. The commission shall be within  
2649 the Division of Criminal Justice for administrative purposes only.

2650 Sec. 59. Section 19a-125 of the general statutes is repealed and the  
2651 following is substituted in lieu thereof (*Effective July 1, 2009*):

2652 There is established a State-Wide Adolescent Health Council. The  
2653 council shall consist of the following members: The Commissioners of  
2654 Public Health, Children and Families, Education, Higher Education  
2655 and Social Services or their designees; the chairpersons of the joint  
2656 standing committees of the General Assembly having cognizance of  
2657 matters relating to public health and human services; [a representative  
2658 of the Commission on Children; a representative of the Permanent  
2659 Commission on the Status of Women;] a representative of a school-  
2660 based health center and a media specialist to be appointed by the  
2661 Governor; a representative of the United Way of Connecticut and the  
2662 Teen Pregnancy Prevention Coalition of Connecticut to be appointed  
2663 by the president pro tempore of the Senate; a representative of the  
2664 Mental Health Association and the Connecticut Chapter of the  
2665 American Academy of Pediatrics to be appointed by the majority  
2666 leader of the Senate; a representative of the Connecticut Chapter of the  
2667 National Association of Social Workers to be appointed by the  
2668 minority leader of the Senate; a representative of the Connecticut

2669 Association of Human Services and the Connecticut Conference of  
2670 Municipalities to be appointed by the speaker of the House of  
2671 Representatives; a representative of the Connecticut Association of  
2672 Family Practitioners and the Connecticut Sexual Assault Crisis Center  
2673 to be appointed by the majority leader of the House of Representatives;  
2674 and a representative of the Connecticut Youth Service Association and  
2675 the Connecticut Primary Care Association to be appointed by the  
2676 minority leader of the House of Representatives. The chairperson and  
2677 the vice-chairperson of the council shall be elected by the full  
2678 membership of the council from among its membership. The council  
2679 shall meet at regular intervals as determined by the chairperson. The  
2680 members of the council shall serve without compensation. The council  
2681 shall consult with and advise the Commissioners of Public Health,  
2682 Social Services, Education and Children and Families concerning the  
2683 coordination of service delivery to and health needs of teens. The  
2684 council shall examine issues, including but not limited to, contributing  
2685 factors of high risk behaviors, how multiple problems interrelate and  
2686 strategies for prevention. The council shall make recommendations on  
2687 facilitating federal, state and community action to address teen  
2688 pregnancy, mental health, violence, substance abuse, sexually  
2689 transmitted diseases, acquired immune deficiency syndrome and such  
2690 other areas as the council determines are relevant to adolescent health  
2691 needs. The council shall submit a report to the joint standing  
2692 committees of the General Assembly having cognizance of matters  
2693 relating to public health, human services and education, in accordance  
2694 with the provisions of section 11-4a on or before June 30, 1994.

2695 Sec. 60. Subsection (d) of section 31-3g of the general statutes is  
2696 repealed and the following is substituted in lieu thereof (*Effective July*  
2697 *1, 2009*):

2698 (d) The Labor Commissioner shall establish an Advisory Council on  
2699 Displaced Homemakers and appoint not less than ten nor more than  
2700 fifteen members, including representatives from the Labor  
2701 Department, the Departments of Education, Higher Education and

2702 Social Services [, the Permanent Commission on the Status of Women]  
2703 and providers of assistance and program access services, and such  
2704 other members as the commissioner deems necessary. The advisory  
2705 council shall consult with and advise the Labor Commissioner and the  
2706 state-wide coordinator of services for displaced homemakers as to  
2707 criteria which shall be used to identify displaced homemakers and  
2708 determine programs and services appropriate to the skills  
2709 development of the applying displaced homemaker. The advisory  
2710 council shall develop specific recommendations for funding  
2711 multiservice programs which meet the training and job placement  
2712 needs of displaced homemakers.

2713 Sec. 61. Section 31-3cc of the general statutes is repealed and the  
2714 following is substituted in lieu thereof (*Effective July 1, 2009*):

2715 The Connecticut Employment and Training Commission, in  
2716 cooperation with the [Permanent Commission on the Status of Women  
2717 and the] Commission on Human Rights and Opportunities, shall  
2718 regularly collect and analyze data on state-supported training  
2719 programs that measure the presence of gender or other systematic bias  
2720 and work with the relevant boards and agencies to correct any  
2721 problems that are found.

2722 Sec. 62. Section 38a-47 of the general statutes is repealed and the  
2723 following is substituted in lieu thereof (*Effective July 1, 2009*):

2724 All domestic insurance companies and other domestic entities  
2725 subject to taxation under chapter 207 shall, in accordance with section  
2726 38a-48, as amended by this act, annually pay to the Insurance  
2727 Commissioner, for deposit in the Insurance Fund established under  
2728 section 38a-52a, an amount equal to the actual expenditures made by  
2729 the Insurance Department during each fiscal year, [and the actual  
2730 expenditures made by the Office of the Healthcare Advocate,]  
2731 including the cost of fringe benefits for department and office  
2732 personnel as estimated by the Comptroller, plus the expenditures  
2733 made on behalf of the department [and the office] from the Capital

2734 Equipment Purchase Fund pursuant to section 4a-9 for such year, but  
2735 excluding expenditures paid for by fraternal benefit societies, foreign  
2736 and alien insurance companies and other foreign and alien entities  
2737 under sections 38a-49 and 38a-50. Payments shall be made by  
2738 assessment of all such domestic insurance companies and other  
2739 domestic entities calculated and collected in accordance with the  
2740 provisions of section 38a-48, as amended by this act. Any such  
2741 domestic insurance company or other domestic entity aggrieved  
2742 because of any assessment levied under this section may appeal  
2743 therefrom in accordance with the provisions of section 38a-52.

2744 Sec. 63. Section 38a-48 of the general statutes is repealed and the  
2745 following is substituted in lieu thereof (*Effective July 1, 2009*):

2746 (a) On or before June thirtieth, annually, the Commissioner of  
2747 Revenue Services shall render to the Insurance Commissioner a  
2748 statement certifying the amount of taxes or charges imposed on each  
2749 domestic insurance company or other domestic entity under chapter  
2750 207 on business done in this state during the preceding calendar year;  
2751 the statement for local domestic insurance companies shall set forth the  
2752 amount of taxes and charges before any tax credits allowed as  
2753 provided in section 12-202.

2754 (b) On or before July thirty-first, annually, the Insurance  
2755 Commissioner [and the Office of the Healthcare Advocate] shall render  
2756 to each domestic insurance company or other domestic entity liable for  
2757 payment under section 38a-47, as amended by this act, (1) a statement  
2758 which includes the amount appropriated to the Insurance Department  
2759 [and the Office of the Healthcare Advocate] for the fiscal year  
2760 beginning July first of the same year, the cost of fringe benefits for  
2761 department [and office] personnel for such year, as estimated by the  
2762 Comptroller, and the estimated expenditures on behalf of the  
2763 department [and the office] from the Capital Equipment Purchase  
2764 Fund pursuant to section 4a-9 for such year, (2) a statement of the total  
2765 taxes imposed on all domestic insurance companies and domestic



2766 insurance entities under chapter 207 on business done in this state  
2767 during the preceding calendar year, and (3) the proposed assessment  
2768 against that company or entity, calculated in accordance with the  
2769 provisions of subsection (c) of this section, provided that for the  
2770 purposes of this calculation the amount appropriated to the Insurance  
2771 Department [and the Office of the Healthcare Advocate] plus the cost  
2772 of fringe benefits for department and office personnel and the  
2773 estimated expenditures on behalf of the department and the office  
2774 from the Capital Equipment Purchase Fund pursuant to section 4a-9  
2775 shall be deemed to be the actual expenditures of the department. [and  
2776 the office.]

2777 (c) (1) The proposed assessments for each domestic insurance  
2778 company or other domestic entity shall be calculated by (A) allocating  
2779 twenty per cent of the amount to be paid under section 38a-47, as  
2780 amended by this act, among the domestic entities organized under  
2781 sections 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive,  
2782 in proportion to their respective shares of the total taxes and charges  
2783 imposed under chapter 207 on such entities on business done in this  
2784 state during the preceding calendar year, and (B) allocating eighty per  
2785 cent of the amount to be paid under section 38a-47, as amended by this  
2786 act, among all domestic insurance companies and domestic entities  
2787 other than those organized under sections 38a-199 to 38a-209,  
2788 inclusive, and 38a-214 to 38a-225, inclusive, in proportion to their  
2789 respective shares of the total taxes and charges imposed under chapter  
2790 207 on such domestic insurance companies and domestic entities on  
2791 business done in this state during the preceding calendar year,  
2792 provided if there are no domestic entities organized under sections  
2793 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, at the  
2794 time of assessment, one hundred per cent of the amount to be paid  
2795 under section 38a-47, as amended by this act, shall be allocated among  
2796 such domestic insurance companies and domestic entities.

2797 (2) When the amount any such company or entity is assessed  
2798 pursuant to this section exceeds twenty-five per cent of the actual

2799 expenditures of the Insurance Department, [and the Office of the  
2800 Healthcare Advocate,] such excess amount shall not be paid by such  
2801 company or entity but rather shall be assessed against and paid by all  
2802 other such companies and entities in proportion to their respective  
2803 shares of the total taxes and charges imposed under chapter 207 on  
2804 business done in this state during the preceding calendar year, except  
2805 that for purposes of any assessment made to fund payments to the  
2806 Department of Public Health to purchase vaccines, such company or  
2807 entity shall be responsible for its share of the costs, notwithstanding  
2808 whether its assessment exceeds twenty-five per cent of the actual  
2809 expenditures of the Insurance Department. [and the Office of the  
2810 Healthcare Advocate.] The provisions of this subdivision shall not be  
2811 applicable to any corporation which has converted to a domestic  
2812 mutual insurance company pursuant to section 38a-155 upon the  
2813 effective date of any public act which amends said section to modify or  
2814 remove any restriction on the business such a company may engage in,  
2815 for purposes of any assessment due from such company on and after  
2816 such effective date.

2817 (d) For purposes of calculating the amount of payment under  
2818 section 38a-47, as amended by this act, as well as the amount of the  
2819 assessments under this section, the "total taxes imposed on all  
2820 domestic insurance companies and other domestic entities under  
2821 chapter 207" shall be based upon the amounts shown as payable to the  
2822 state for the calendar year on the returns filed with the Commissioner  
2823 of Revenue Services pursuant to chapter 207; with respect to  
2824 calculating the amount of payment and assessment for local domestic  
2825 insurance companies, the amount used shall be the taxes and charges  
2826 imposed before any tax credits allowed as provided in section 12-202.

2827 (e) On or before September thirtieth, annually, for each fiscal year  
2828 ending prior to July 1, 1990, the Insurance Commissioner, [and the  
2829 Healthcare Advocate,] after receiving any objections to the proposed  
2830 assessments and making such adjustments as in their opinion may be  
2831 indicated, shall assess each such domestic insurance company or other

2832 domestic entity an amount equal to its proposed assessment as so  
2833 adjusted. Each domestic insurance company or other domestic entity  
2834 shall pay to the Insurance Commissioner on or before October thirty-  
2835 first an amount equal to fifty per cent of its assessment adjusted to  
2836 reflect any credit or amount due from the preceding fiscal year as  
2837 determined by the commissioner under subsection (g) of this section.  
2838 Each domestic insurance company or other domestic entity shall pay  
2839 to the Insurance Commissioner on or before the following April  
2840 thirtieth, the remaining fifty per cent of its assessment.

2841 (f) On or before September first, annually, for each fiscal year  
2842 ending after July 1, 1990, the Insurance Commissioner, [and the  
2843 Healthcare Advocate,] after receiving any objections to the proposed  
2844 assessments and making such adjustments as in their opinion may be  
2845 indicated, shall assess each such domestic insurance company or other  
2846 domestic entity an amount equal to its proposed assessment as so  
2847 adjusted. Each domestic insurance company or other domestic entity  
2848 shall pay to the Insurance Commissioner (1) on or before June 30, 1990,  
2849 and on or before June thirtieth annually thereafter, an estimated  
2850 payment against its assessment for the following year equal to twenty-  
2851 five per cent of its assessment for the fiscal year ending such June  
2852 thirtieth, (2) on or before September thirtieth, annually, twenty-five per  
2853 cent of its assessment adjusted to reflect any credit or amount due  
2854 from the preceding fiscal year as determined by the commissioner  
2855 under subsection (g) of this section, and (3) on or before the following  
2856 December thirty-first and March thirty-first, annually, each domestic  
2857 insurance company or other domestic entity shall pay to the Insurance  
2858 Commissioner the remaining fifty per cent of its proposed assessment  
2859 to the department in two equal installments.

2860 (g) Immediately following the close of the fiscal year, the Insurance  
2861 Commissioner [and the Healthcare Advocate] shall recalculate the  
2862 proposed assessment for each domestic insurance company or other  
2863 domestic entity in accordance with subsection (c) of this section using  
2864 the actual expenditures made by the Insurance Department [and the

2865 Office of the Healthcare Advocate] during that fiscal year and the  
2866 actual expenditures made on behalf of the department and the office  
2867 from the Capital Equipment Purchase Fund pursuant to section 4a-9.  
2868 On or before July thirty-first, the Insurance Commissioner [and the  
2869 Healthcare Advocate] shall render to each such domestic insurance  
2870 company and other domestic entity a statement showing the difference  
2871 between their respective recalculated assessments and the amount they  
2872 have previously paid. On or before August thirty-first, the Insurance  
2873 Commissioner, [and the Healthcare Advocate,] after receiving any  
2874 objections to such statements, shall make such adjustments which in  
2875 their opinion may be indicated, and shall render an adjusted  
2876 assessment, if any, to the affected companies.

2877 (h) If any assessment is not paid when due, a penalty of twenty-five  
2878 dollars shall be added thereto, and interest at the rate of six per cent  
2879 per annum shall be paid thereafter on such assessment and penalty.

2880 (i) The commissioner shall deposit all payments made under this  
2881 section with the State Treasurer. On and after June 6, 1991, the moneys  
2882 so deposited shall be credited to the Insurance Fund established under  
2883 section 38a-52a and shall be accounted for as expenses recovered from  
2884 insurance companies.

2885 Sec. 64. Subsection (c) of section 38a-478m of the general statutes is  
2886 repealed and the following is substituted in lieu thereof (*Effective July*  
2887 *1, 2009*):

2888 (c) A managed care organization that fails to provide notice of the  
2889 resolution of a complaint within the time provided in subsection (b) of  
2890 this section shall be fined twenty-five dollars for each failure to  
2891 provide notice. Any fines collected under this section shall be paid to  
2892 the Insurance Commissioner and deposited in the Insurance Fund  
2893 established in section 38a-52a. [The amount of such fines shall be  
2894 allocated to the Office of the Healthcare Advocate for the purposes set  
2895 forth in section 38a-1041.]

2896 Sec. 65. Section 38a-479ee of the general statutes is repealed and the  
2897 following is substituted in lieu thereof (*Effective July 1, 2009*):

2898 (a) If the Insurance Commissioner determines that a preferred  
2899 provider network or managed care organization, or both, has not  
2900 complied with any applicable provision of this part, sections 38a-226 to  
2901 38a-226d, inclusive, or sections 38a-815 to 38a-819, inclusive, the  
2902 commissioner may (1) order the preferred provider network or  
2903 managed care organization, or both if both have not complied, to cease  
2904 and desist all operations in violation of this part or said sections; (2)  
2905 terminate or suspend the preferred provider network's license; (3)  
2906 institute a corrective action against the preferred provider network or  
2907 managed care organization, or both if both have not complied; (4)  
2908 order the payment of a civil penalty by the preferred provider network  
2909 or managed care organization, or both if both have not complied, of  
2910 not more than one thousand dollars for each and every act or violation;  
2911 (5) order the payment of such reasonable expenses as may be necessary  
2912 to compensate the commissioner in conjunction with any proceedings  
2913 held to investigate or enforce violations of this part, sections 38a-226 to  
2914 38a-226d, inclusive, or sections 38a-815 to 38a-819, inclusive; and (6)  
2915 use any of the commissioner's other enforcement powers to obtain  
2916 compliance with this part, sections 38a-226 to 38a-226d, inclusive, or  
2917 sections 38a-815 to 38a-819, inclusive. The commissioner may hold a  
2918 hearing concerning any matter governed by this part, sections 38a-226  
2919 to 38a-226d, inclusive, or sections 38a-815 to 38a-819, inclusive, in  
2920 accordance with section 38a-16. Subject to the same confidentiality and  
2921 liability protections set forth in subsections (c) and (k) of section 38a-  
2922 14, the commissioner may engage the services of attorneys, appraisers,  
2923 independent actuaries, independent certified public accountants or  
2924 other professionals and specialists to assist the commissioner in  
2925 conducting an investigation under this section, the cost of which shall  
2926 be borne by the managed care organization or preferred provider  
2927 network, or both, that is the subject of the investigation.

2928 (b) If a preferred provider network fails to comply with any

2929 applicable provision of this part, sections 38a-226 to 38a-226d,  
2930 inclusive, or sections 38a-815 to 38a-819, inclusive, the commissioner  
2931 may assign or require the preferred provider network to assign its  
2932 rights and obligations under any contract with participating providers  
2933 in order to ensure that covered benefits are provided.

2934 (c) The commissioner shall receive and investigate [(1)] any  
2935 grievance filed against a preferred provider network or managed care  
2936 organization, or both, by an enrollee or an enrollee's designee  
2937 concerning matters governed by this part, sections 38a-226 to 38a-226d,  
2938 inclusive, or sections 38a-815 to 38a-819, inclusive, [, or (2) any referral  
2939 from the Office of the Healthcare Advocate pursuant to section 38a-  
2940 1041.] The commissioner shall code, track and review such grievances,  
2941 [and referrals.] The preferred provider network or managed care  
2942 organization, or both, shall provide the commissioner with all  
2943 information necessary for the commissioner to investigate such  
2944 grievances, [and referrals.] The information collected by the  
2945 commissioner pursuant to this section shall be maintained as  
2946 confidential and shall not be disclosed to any person except (A) to the  
2947 extent necessary to carry out the purposes of this part, sections 38a-226  
2948 to 38a-226d, inclusive, or sections 38a-815 to 38a-819, inclusive, (B) as  
2949 allowed under this title, and (C) [to the Healthcare Advocate and (D)]  
2950 information concerning the nature of any grievance [or referral] and  
2951 the commissioner's final determination shall be a public record, as  
2952 defined in section 1-200, provided no personal information, as defined  
2953 in section 38a-975, shall be disclosed. [The commissioner shall report to  
2954 the Healthcare Advocate on the resolution of any matter referred to the  
2955 commissioner by the Healthcare Advocate.]

2956 Sec. 66. Section 38a-479ff of the general statutes is repealed and the  
2957 following is substituted in lieu thereof (*Effective July 1, 2009*):

2958 No health insurer, health care center, utilization review company, as  
2959 defined in section 38a-226, or preferred provider network, as defined  
2960 in section 38a-479aa, shall take or threaten to take any adverse

2961 personnel or coverage-related action against any enrollee, provider or  
2962 employee in retaliation for such enrollee, provider or employee (1)  
2963 filing a complaint with the Insurance Commissioner, [or the Office of  
2964 the Healthcare Advocate,] or (2) disclosing information to the  
2965 Insurance Commissioner concerning any violation of this part, sections  
2966 38a-226 to 38a-226d, inclusive, or sections 38a-815 to 38a-819, inclusive,  
2967 unless such disclosure violates the provisions of chapter 705 or the  
2968 privacy provisions of the federal Health Insurance Portability and  
2969 Accountability Act of 1996 (P.L. 104-191) (HIPAA), as amended from  
2970 time to time, or regulations adopted thereunder. Any enrollee,  
2971 provider or employee who is aggrieved by a violation of this section  
2972 may bring a civil action in the Superior Court to recover damages and  
2973 attorneys' fees and costs.

2974 Sec. 67. Section 38a-1051 of the general statutes is repealed and the  
2975 following is substituted in lieu thereof (*Effective July 1, 2009*):

2976 (a) Whereas the General Assembly finds that: (1) Equal enjoyment of  
2977 the highest attainable standard of health is a human right and a  
2978 priority of the state, (2) research and experience demonstrate that  
2979 inhabitants of the state experience barriers to the equal enjoyment of  
2980 good health based on race, ethnicity, national origin and linguistic  
2981 ability, and (3) addressing such barriers, and others that may arise in  
2982 the future, requires: The collection, analysis and reporting of  
2983 information, the identification of causes, and the development and  
2984 implementation of policy solutions that address health disparities  
2985 while improving the health of the public as a whole therefore, there is  
2986 established a Commission on Health Equity with the mission of  
2987 eliminating disparities in health status based on race, ethnicity and  
2988 linguistic ability, and improving the quality of health for all of the  
2989 state's residents. Such commission shall consist of the following  
2990 commissioners, or their designees, and public members: (A) The  
2991 Commissioners of Public Health, Mental Health and Addiction  
2992 Services, Developmental Services, Social Services, Correction, Children  
2993 and Families, and Education; (B) the dean of The University of

2994 Connecticut Health Center, or his designee; (C) the director of The  
2995 University of Connecticut Health Center and Center for Public Health  
2996 and Health Policy, or their designees; (D) the dean of the Yale  
2997 University Medical School, or his designee; (E) the dean of Public  
2998 Health and the School of Epidemiology at Yale University, or his  
2999 designee; (F) one member appointed by the president pro tempore of  
3000 the Senate, who shall be a member of an affiliate of the National Urban  
3001 League; (G) one member appointed by the speaker of the House of  
3002 Representatives, who shall be a member of the National Association  
3003 for the Advancement of Colored People; (H) one member appointed  
3004 by the majority leader of the House of Representatives, who shall be a  
3005 member of the Black and Puerto Rican Caucus of the General  
3006 Assembly; (I) one member appointed by the majority leader of the  
3007 Senate with the advice of the Native American Heritage Advisory  
3008 Council or the chairperson of the Indian Affairs Council, who shall be  
3009 a representative of the Native American community; (J) one member  
3010 appointed by the minority leader of the Senate, who shall be a  
3011 representative of an advocacy group for Hispanics; (K) one member  
3012 appointed by the minority leader of the House of Representatives, who  
3013 shall be a representative of the state-wide Multicultural Health  
3014 Network; (L) [the chairperson of the African-American Affairs  
3015 Commission, or his or her designee; (M) the chairperson of the Latino  
3016 and Puerto Rican Affairs Commission, or his or her designee; (N) the  
3017 chairperson of the Permanent Commission on the Status of Women, or  
3018 his or her designee; (O) the chairperson of the Asian Pacific American  
3019 Affairs Commission, or his or her designee; (P)] the director of the  
3020 Hispanic Health Council, or his or her designee; [(Q) the chairperson  
3021 of the Office of the Healthcare Advocate, or his or her designee;] and  
3022 [(R)] (M) eight members of the public, representing communities  
3023 facing disparities in health status based on race, ethnicity and  
3024 linguistic ability, who shall be appointed as follows: Two by the  
3025 president pro tempore of the Senate, two by the speaker of the House  
3026 of Representatives, two by the minority leader of the Senate, and two  
3027 by the minority leader of the House of Representatives. Vacancies on



3028 the council shall be filled by the appointing authority.

3029 (b) The commission shall elect a chairperson and a vice-chairperson  
3030 from among its members. Any member absent from either: (1) Three  
3031 consecutive meetings of the commission, or (2) fifty per cent of such  
3032 meetings during any calendar year, shall be deemed to have resigned  
3033 from the commission.

3034 (c) Members of the commission shall serve without compensation,  
3035 but within available appropriations, and shall be reimbursed for  
3036 expenses necessarily incurred in the performance of their duties.

3037 (d) The commission shall meet as often as necessary as determined  
3038 by the chairperson or a majority of the commission, but not less than at  
3039 least once per calendar quarter.

3040 (e) The commission shall: (1) Review and comment on any proposed  
3041 state legislation and regulations that would affect the health of  
3042 populations in the state experiencing racial, ethnic, cultural or  
3043 linguistic disparities in health status, (2) review and comment on the  
3044 Department of Public Health's health disparities performance  
3045 measures, (3) advise and provide information to the Governor and the  
3046 General Assembly on the state's policies concerning the health of  
3047 populations in the state experiencing racial, ethnic, cultural or  
3048 linguistic disparities in health status, (4) work as a liaison between  
3049 populations experiencing racial, ethnic, cultural or linguistic  
3050 disparities in health status and state agencies in order to eliminate such  
3051 health disparities, (5) evaluate policies, procedures, activities and  
3052 resource allocations to eliminate health status disparities among racial,  
3053 ethnic and linguistic populations in the state and have the authority to  
3054 convene the directors and commissioners of all state agencies whose  
3055 purview is relevant to the elimination of health disparities, including  
3056 but not limited to, the Departments of Public Health, Social Services,  
3057 Children and Families, Developmental Services, Education, Mental  
3058 Health and Addiction Services, Labor, Transportation, the Housing  
3059 Finance Authority and the Office of Health Care Access for the

3060 purpose of advising on and directing the implementation of policies,  
3061 procedures, activities and resource allocations to eliminate health  
3062 status disparities among racial, ethnic and linguistic populations in the  
3063 state, (6) prepare and submit to the Governor and General Assembly  
3064 an annual report, in accordance with section 11-4a, that provides both  
3065 a retrospective and prospective view of health disparities and the  
3066 state's efforts to ameliorate identifiable disparities among populations  
3067 of the state experiencing racial, ethnic, cultural or linguistic disparities  
3068 in health status, (7) explore other successful programs in other sectors  
3069 and states, and pilot and provide grants for new creative programs  
3070 that may diminish or contribute to the elimination of health disparities  
3071 in the state and culturally appropriate health education demonstration  
3072 projects, for which the commission may apply for, accept and expand  
3073 public and private funding, (8) have the authority to collect and  
3074 analyze government and other data regarding the health status of state  
3075 inhabitants based on race, ethnicity, national origin and linguistic  
3076 ability, including access, services and outcomes in private and public  
3077 health care institutions within the state, including, but not limited to,  
3078 the data collected by the Connecticut Health Information Network, (9)  
3079 have the authority to draft and recommend proposed legislation,  
3080 regulations and other policies designed to address disparities in health  
3081 status, and (10) have the authority to conduct hearings and interviews,  
3082 and receive testimony, regarding matters pertinent to its mission.

3083 (f) The commission may use such funds as may be available from  
3084 federal, state or other sources, and may enter into contracts to carry out  
3085 the provisions of this section.

3086 (g) The commission may, within available appropriations and  
3087 subject to the provisions of chapter 67, employ any necessary staff.

3088 [(h) The commission shall be within the Office of the Healthcare  
3089 Advocate for administrative purposes only.]

3090 [(i)] (h) The commission shall report to the Governor and the  
3091 General Assembly on its findings not later than June 1, 2010.

3092        [(j)] (i) The commission shall make a determination as to whether  
3093 the duties of the commission are duplicated by any other state agency,  
3094 office, bureau or commission and shall include information concerning  
3095 any such duplication or performance of similar duties by any other  
3096 state agency, office, bureau or commission in the report described in  
3097 subsection [(i)] (h) of this section.

3098        Sec. 68. Subsection (b) of section 46a-68 of the general statutes is  
3099 repealed and the following is substituted in lieu thereof (*Effective July*  
3100 *1, 2009*):

3101        (b) (1) Each state agency, department, board or commission shall  
3102 designate a full-time or part-time affirmative action officer. If such  
3103 affirmative action officer is an employee of the agency, department,  
3104 board or commission, the executive head of the agency, department,  
3105 board or commission shall be directly responsible for the supervision  
3106 of the officer.

3107        (2) The Commission on Human Rights and Opportunities shall  
3108 provide training and technical assistance to affirmative action officers  
3109 in plan development and implementation.

3110        (3) The Commission on Human Rights and Opportunities [and the  
3111 Permanent Commission on the Status of Women] shall provide  
3112 training concerning state and federal discrimination laws and  
3113 techniques for conducting investigations of discrimination complaints  
3114 to persons designated by state agencies, departments, boards or  
3115 commissions as affirmative action officers and persons designated by  
3116 the Attorney General or the Attorney General's designee to represent  
3117 such agencies, departments, boards or commissions pursuant to  
3118 subdivision (5) of this subsection. Such training shall be provided for a  
3119 minimum of ten hours during the first year of service or designation,  
3120 and a minimum of five hours per year thereafter.

3121        (4) (A) Each person designated by a state agency, department, board  
3122 or commission as an affirmative action officer shall (i) be responsible

3123 for mitigating any discriminatory conduct within the agency,  
3124 department, board or commission, (ii) investigate all complaints of  
3125 discrimination made against the state agency, department, board or  
3126 commission, and (iii) report all findings and recommendations upon  
3127 the conclusion of an investigation to the commissioner or director of  
3128 the state agency, department, board or commission for proper action.

3129 (B) Notwithstanding the provisions of subparagraphs (A)(i), (A)(ii)  
3130 and (A)(iii) of this subdivision, if a discrimination complaint is made  
3131 against the executive head of a state agency or department, any  
3132 member of a state board or commission or any affirmative action  
3133 officer alleging that the executive head, member or officer directly or  
3134 personally engaged in discriminatory conduct, or if a complaint of  
3135 discrimination is made by the executive head of a state agency, any  
3136 member of a state board or commission or any affirmative action  
3137 officer, the complaint shall be referred to the Commission on Human  
3138 Rights and Opportunities for review and, if appropriate, investigation  
3139 by the Department of Administrative Services. If the discrimination  
3140 complaint is made by or against the executive head, any member or  
3141 the affirmative action officer of the Commission on Human Rights and  
3142 Opportunities alleging that the executive head, member or officer  
3143 directly or personally engaged in discriminatory conduct, the  
3144 commission shall refer the complaint to the Department of  
3145 Administrative Services for review and, if appropriate, investigation. If  
3146 the complaint is by or against the executive head or affirmative action  
3147 officer of the Department of Administrative Services, the complaint  
3148 shall be referred to the Commission on Human Rights and  
3149 Opportunities for review and, if appropriate, investigation. Each  
3150 person who conducts an investigation pursuant to this subparagraph  
3151 shall report all findings and recommendations upon the conclusion of  
3152 such investigation to the appointing authority of the individual who  
3153 was the subject of the complaint for proper action. The provisions of  
3154 this subparagraph shall apply to any such complaint pending on or  
3155 after July 5, 2007.

3156 (5) Each person designated by a state agency, department, board or  
3157 commission as an affirmative action officer, and each person  
3158 designated by the Attorney General or the Attorney General's designee  
3159 to represent an agency pursuant to subdivision (6) of this subsection,  
3160 shall complete training provided by the Commission on Human Rights  
3161 and Opportunities [and the Permanent Commission on the Status of  
3162 Women] pursuant to subdivision (3) of this subsection.

3163 (6) No person designated by a state agency, department, board or  
3164 commission as an affirmative action officer shall represent such  
3165 agency, department, board or commission before the Commission on  
3166 Human Rights and Opportunities or the Equal Employment  
3167 Opportunity Commission concerning a discrimination complaint. If a  
3168 discrimination complaint is filed with the Commission on Human  
3169 Rights and Opportunities or the Equal Employment Opportunity  
3170 Commission against a state agency, department, board or commission,  
3171 the Attorney General, or the Attorney General's designee, other than  
3172 the affirmative action officer for such agency, department board or  
3173 commission, shall represent the state agency, department, board or  
3174 commission before the Commission on Human Rights and  
3175 Opportunities or the Equal Employment Opportunity Commission.

3176 Sec. 69. Section 46a-170 of the general statutes is repealed and the  
3177 following is substituted in lieu thereof (*Effective July 1, 2009*):

3178 (a) There is established a Trafficking in Persons Council that shall be  
3179 within the [Permanent Commission on the Status of Women] Chief  
3180 State's Attorney's Office for administrative purposes only.

3181 (b) The council shall consist of the following members: The Attorney  
3182 General, the Chief State's Attorney, the Chief Public Defender, the  
3183 Commissioner of Public Safety, the Labor Commissioner, the  
3184 Commissioner of Social Services, the Commissioner of Public Health,  
3185 the Commissioner of Mental Health and Addiction Services, the  
3186 Commissioner of Children and Families, the Child Advocate, the  
3187 Victim Advocate, [the chairperson of the Commission on Children, the

3188 chairperson of the Permanent Commission on the Status of Women,  
3189 the chairperson of the Latino and Puerto Rican Affairs Commission,  
3190 the chairperson of the African-American Affairs Commission,] three  
3191 representatives of the Judicial Branch appointed by the Chief Court  
3192 Administrator, one of whom shall represent the Office of Victim  
3193 Services and one of whom shall represent the Court Support Services  
3194 Division, and a municipal police chief appointed by the Connecticut  
3195 Police Chiefs Association, or a representative of any such member who  
3196 has been designated in writing by such member to serve as such  
3197 member's representative, and seven public members appointed as  
3198 follows: The Governor shall appoint one member who shall represent  
3199 Connecticut Sexual Assault Crisis Services, Inc., the president pro  
3200 tempore of the Senate shall appoint one member who shall represent  
3201 an organization that provides civil legal services to low-income  
3202 individuals, the speaker of the House of Representatives shall appoint  
3203 one member who shall represent the Connecticut Coalition Against  
3204 Domestic Violence, the majority leader of the Senate shall appoint one  
3205 member who shall represent an organization that deals with  
3206 behavioral health needs of women and children, the majority leader of  
3207 the House of Representatives shall appoint one member who shall  
3208 represent an organization that advocates on social justice and human  
3209 rights issues, the minority leader of the Senate shall appoint one  
3210 member who shall represent the Connecticut Immigrant and Refugee  
3211 Coalition, and the minority leader of the House of Representatives  
3212 shall appoint one member who shall represent the Asian-American  
3213 community.

3214 (c) [The chairperson of the Permanent Commission on the Status of  
3215 Women shall serve as chairperson of the council.] The council shall  
3216 select a chairperson from its membership. The members of the council  
3217 shall serve without compensation but shall be reimbursed for  
3218 necessary expenses incurred in the performance of their duties.

3219 (d) The council shall: (1) Hold meetings to provide updates and  
3220 progress reports, (2) identify criteria for providing services to adult

3221 trafficking victims, (3) identify criteria for providing services to  
3222 children of trafficking victims, and (4) consult with governmental and  
3223 nongovernmental organizations in developing recommendations to  
3224 strengthen state and local efforts to prevent trafficking, protect and  
3225 assist victims of trafficking and prosecute traffickers. The council shall  
3226 meet at least three times per year.

3227 (e) The council may request data and other information from state  
3228 and local agencies to carry out its duties under this section.

3229 (f) Not later than January 1, 2008, and annually thereafter, the  
3230 council shall submit a report of its activities, including any  
3231 recommendations for legislation, to the General Assembly in  
3232 accordance with section 11-4a.

3233 (g) For the purposes of this section, "trafficking" means all acts  
3234 involved in the recruitment, abduction, transport, harboring, transfer,  
3235 sale or receipt of persons, within national or across international  
3236 borders, through force, coercion, fraud or deception, to place persons  
3237 in situations of slavery or slavery-like conditions, forced labor or  
3238 services, such as forced prostitution or sexual services, domestic  
3239 servitude, bonded sweatshop labor or other debt bondage.

3240 Sec. 70. Section 46b-69c of the general statutes is repealed and the  
3241 following is substituted in lieu thereof (*Effective July 1, 2009*):

3242 (a) There is established an advisory committee to (1) make  
3243 recommendations to the Judicial Department on the development of,  
3244 and annually thereafter on modifications to, the curriculum for the  
3245 parenting education program established pursuant to subsection (a) of  
3246 section 46b-69b, and (2) advise on other matters involving the service  
3247 providers, including the qualifications and selection of such providers.

3248 (b) Not later than January 15, 2003, the advisory committee shall  
3249 make recommendations to the Judicial Department on the expansion  
3250 of the parenting education program to include a separate program for

3251 children whose parents are involved in a dissolution of marriage  
3252 action. Such program shall be designed to help children cope more  
3253 effectively with the problems that result from a dissolution and shall  
3254 have as its goal the prevention or reduction of children's anxiety,  
3255 aggression, depression and behavioral problems and an increase in  
3256 social competencies critical to children's postdissolution adjustment.

3257 (c) The advisory committee shall consist of not more than ten  
3258 members to be appointed by the Chief Justice of the Supreme Court  
3259 and shall include members who represent the [Commission on  
3260 Children, the] family law section of the Connecticut Bar Association,  
3261 educators specializing in children studies, agencies representing  
3262 victims of family violence, service providers and the Judicial  
3263 Department. The members shall serve for terms of two years and may  
3264 be reappointed for succeeding terms. The members shall elect a  
3265 chairperson from among their number and shall receive no  
3266 compensation for their services.

3267 (d) The Court Support Services Division of the Judicial Department  
3268 shall provide staff services to the advisory committee.

3269 Sec. 71. Section 46b-215a of the general statutes is repealed and the  
3270 following is substituted in lieu thereof (*Effective July 1, 2009*):

3271 The Commission for Child Support Guidelines is established to  
3272 review the child support guidelines promulgated pursuant to section 8  
3273 of public act 85-548\*, to establish criteria for the establishment of  
3274 guidelines to ensure the appropriateness of child support awards and  
3275 to issue updated guidelines not later than October 1, 1993, and every  
3276 four years thereafter. Not later than January 1, 1992, the commission  
3277 shall also establish criteria and promulgate guidelines to ensure that  
3278 such orders of payment on any arrearage and past due support shall  
3279 be based on the obligor's ability to pay. Such guidelines shall also  
3280 ensure the appropriateness of periodic payments of arrearages when  
3281 the obligor (1) is the child's legal guardian and resides with the child or  
3282 (2) is not the child's legal guardian but has resided with the child either



3283 for at least six months immediately preceding the order of payment of  
3284 arrearage or for at least six months of the twelve months immediately  
3285 preceding such order. In such cases, the commission shall consider  
3286 exemptions similar to those in the uniform contribution scale adopted  
3287 pursuant to section 4a-12. Updated arrearage guidelines shall be issued  
3288 at the same time as the child support guidelines. The commission shall  
3289 consist of eleven members as follows: The Chief Court Administrator  
3290 or his designee, the Commissioner of Social Services or his designee,  
3291 the Attorney General or his designee, the chairpersons and ranking  
3292 members of the joint standing committee on judiciary or their  
3293 designees and a representative of the Connecticut Bar Association, a  
3294 representative of legal services [,] and a person who represents the  
3295 financial concerns of child support obligors, [and a representative of  
3296 the Permanent Commission on the Status of Women,] all of whom  
3297 shall be appointed by the Governor. The chairperson of the  
3298 commission shall be elected by the members of the commission.

3299 Sec. 72. Section 51-10c of the general statutes is repealed and the  
3300 following is substituted in lieu thereof (*Effective July 1, 2009*):

3301 (a) There is established a Commission on Racial and Ethnic  
3302 Disparity in the Criminal Justice System. The commission shall consist  
3303 of the Chief Court Administrator, the Chief State's Attorney, the Chief  
3304 Public Defender, the Commissioner of Public Safety, the Commissioner  
3305 of Correction, the Commissioner of Children and Families, the Child  
3306 Advocate, the Victim Advocate, the chairperson of the Board of  
3307 Pardons and Paroles, [the chairperson of the African-American Affairs  
3308 Commission, the chairperson of the Latino and Puerto Rican Affairs  
3309 Commission, or their designees,] a representative of municipal police  
3310 chiefs, a representative of a coalition representing police and  
3311 correctional officers, six members appointed one each by the president  
3312 pro tempore of the Senate, the speaker of the House of  
3313 Representatives, the majority leader of the Senate, the majority leader  
3314 of the House of Representatives, the minority leader of the Senate and  
3315 the minority leader of the House of Representatives, and two members

3316 appointed by the Governor. The Chief Court Administrator or said  
3317 administrator's designee shall serve as chairperson of the commission.  
3318 The commission shall meet at such times as it deems necessary.

3319 (b) The commission shall:

3320 (1) Develop and recommend policies for reducing the number of  
3321 African-Americans and Latinos comprising the pretrial and sentenced  
3322 population of correctional facilities and reducing the number of  
3323 African-Americans and Latinos who are victimized by crime;

3324 (2) Examine the impact of statutory provisions and current  
3325 administrative policies on racial and ethnic disparity in the criminal  
3326 justice system and recommend legislation to the Governor and the  
3327 General Assembly to reduce such disparity;

3328 (3) Research and gather relevant statistical data and other  
3329 information concerning the impact of disparate treatment of African-  
3330 Americans and Latinos in the criminal justice system;

3331 (4) Develop and recommend a training program for personnel in  
3332 agencies involved in the criminal justice system concerning the impact  
3333 of disparate treatment of African-Americans and Latinos;

3334 (5) Research and examine the issue of the use of guidelines by courts  
3335 when sentencing criminal defendants and recommend whether the  
3336 General Assembly should create a sentencing guidelines commission  
3337 to establish sentencing guidelines for state courts;

3338 (6) Examine the implementation of policies and procedures that are  
3339 consistent with policies of the American Bar Association intended to  
3340 ensure that death penalty cases are administered fairly and impartially  
3341 in accordance with due process, to minimize the risk that innocent  
3342 persons may be executed and to eliminate discrimination in capital  
3343 sentencing on the basis of the race of either the victim or the defendant;

3344 (7) Annually prepare and distribute a comprehensive plan to reduce

3345 racial and ethnic disparity in the criminal justice system without  
3346 affecting public safety;

3347 (8) Develop and recommend policies and interventions to reduce  
3348 the number of African-Americans and Latinos in the juvenile justice  
3349 system;

3350 (9) Analyze the key stages in the juvenile justice system to  
3351 determine if any stage disproportionately affects racial or ethnic  
3352 minorities including the decision to arrest a juvenile, the decision to  
3353 turn a juvenile over to a detention center, the decision to nonjudicially  
3354 dispose of the case or to file a petition of delinquency, and the decision  
3355 to resolve the case by placement on probation, placement in a  
3356 residential facility or placement at Long Lane School or the  
3357 Connecticut Juvenile Training School;

3358 (10) Annually prepare and distribute a juvenile justice plan having  
3359 as its goal the reduction of the number of African-Americans and  
3360 Latinos in the juvenile justice system, which plan shall include the  
3361 development of standard risk assessment policies and a system of  
3362 impartial review, culturally appropriate diversion programs for  
3363 minority juveniles accused of nonviolent felonies, intensive in-home  
3364 services to families of pretrial delinquents and youths on probation,  
3365 school programs for juveniles being transferred from detention centers,  
3366 Long Lane School or the Connecticut Juvenile Training School, the  
3367 recruitment of minority employees to serve at all levels of the juvenile  
3368 justice system, the utilization of minority juvenile specialists to guide  
3369 minority juvenile offenders and their families through the juvenile  
3370 justice system, and community service options in lieu of detention for  
3371 juveniles arrested for nonserious offenses;

3372 (11) Develop a curriculum for training of all employees at all levels  
3373 of the juvenile justice system on issues of cultural competency and  
3374 strategies to address disproportionate minority confinement;

3375 (12) Submit an annual report to the Governor and the General

3376 Assembly concerning:

3377 (A) The number of African-Americans and Latinos comprising the  
3378 pretrial and sentenced population of correctional facilities;

3379 (B) The progress being made toward reducing the number of  
3380 African-Americans and Latinos comprising the pretrial and sentenced  
3381 population of correctional facilities;

3382 (C) The adequacy of legal representation for indigent defendants;

3383 (D) The adequacy of the number of residential and nonresidential  
3384 treatment slots available for African-Americans and Latinos;

3385 (E) The adequacy of the number of court interpreters; and

3386 (F) Such other information as the commission deems appropriate.

3387 (c) The commission shall report to the General Assembly, not later  
3388 than January first of each year, concerning additional resources that  
3389 should be made available to reduce racial and ethnic disparity in the  
3390 criminal justice system without affecting public safety.

3391 Sec. 73. Section 54-1m of the general statutes is repealed and the  
3392 following is substituted in lieu thereof (*Effective July 1, 2009*):

3393 (a) Not later than January 1, 2000, each municipal police department  
3394 and the Department of Public Safety shall adopt a written policy that  
3395 prohibits the stopping, detention or search of any person when such  
3396 action is solely motivated by considerations of race, color, ethnicity,  
3397 age, gender or sexual orientation, and the action would constitute a  
3398 violation of the civil rights of the person.

3399 (b) Commencing on January 1, 2000, each municipal police  
3400 department and the Department of Public Safety shall, using the form  
3401 developed and promulgated pursuant to subsection (h) of this section,  
3402 record and retain the following information: (1) The number of persons  
3403 stopped for traffic violations; (2) characteristics of race, color, ethnicity,

3404 gender and age of such persons, provided the identification of such  
3405 characteristics shall be based on the observation and perception of the  
3406 police officer responsible for reporting the stop and the information  
3407 shall not be required to be provided by the person stopped; (3) the  
3408 nature of the alleged traffic violation that resulted in the stop; (4)  
3409 whether a warning or citation was issued, an arrest made or a search  
3410 conducted as a result of the stop; and (5) any additional information  
3411 that such municipal police department or the Department of Public  
3412 Safety, as the case may be, deems appropriate, provided such  
3413 information does not include any other identifying information about  
3414 any person stopped for a traffic violation such as the person's  
3415 operator's license number, name or address.

3416 (c) Each municipal police department and the Department of Public  
3417 Safety shall provide to the Chief State's Attorney [and the African-  
3418 American Affairs Commission] (1) a copy of each complaint received  
3419 pursuant to this section, and (2) written notification of the review and  
3420 disposition of such complaint. No such complaint shall contain any  
3421 other identifying information about the complainant such as his or her  
3422 operator's license number, name or address.

3423 (d) Any police officer who in good faith records traffic stop  
3424 information pursuant to the requirements of this section shall not be  
3425 held civilly liable for the act of recording such information unless the  
3426 officer's conduct was unreasonable or reckless.

3427 (e) If a municipal police department or the Department of Public  
3428 Safety fails to comply with the provisions of this section, the Chief  
3429 State's Attorney may recommend and the Secretary of the Office of  
3430 Policy and Management may order an appropriate penalty in the form  
3431 of the withholding of state funds from such department or the  
3432 Department of Public Safety.

3433 (f) On or before October 1, 2000, and annually thereafter, each  
3434 municipal police department and the Department of Public Safety shall  
3435 provide to the Chief State's Attorney, [and the African-American

3436 Affairs Commission,] in such form as the Chief State's Attorney shall  
3437 prescribe, a summary report of the information recorded pursuant to  
3438 subsection (b) of this section.

3439 [(g) The African-American Affairs Commission shall review the  
3440 prevalence and disposition of traffic stops and complaints reported  
3441 pursuant to this section. Not later than January 1, 2004, and annually  
3442 thereafter, the African-American Affairs Commission shall report to  
3443 the Governor, the General Assembly and to any other entity said  
3444 commission deems appropriate the results of such review, including  
3445 any recommendations.]

3446 [(h)] (g) Not later than January 1, 2000, the Chief State's Attorney, in  
3447 conjunction with the Commissioner of Public Safety, the Attorney  
3448 General, the Chief Court Administrator, the Police Officer Standards  
3449 and Training Council, the Connecticut Police Chiefs Association and  
3450 the Connecticut Coalition of Police and Correctional Officers, shall  
3451 develop and promulgate: (1) A form, in both printed and electronic  
3452 format, to be used by police officers when making a traffic stop to  
3453 record the race, color, ethnicity, gender and age of the operator of the  
3454 motor vehicle that is stopped, the location of the stop, the reason for  
3455 the stop and other information that is required to be recorded pursuant  
3456 to subsection (b) of this section; and (2) a form, in both printed and  
3457 electronic format, to be used to report complaints pursuant to this  
3458 section by persons who believe they have been subjected to a motor  
3459 vehicle stop by a police officer solely on the basis of their race, color,  
3460 ethnicity, age, gender or sexual orientation.

3461 Sec. 74. Subsection (h) of section 4-67x of the general statutes is  
3462 repealed and the following is substituted in lieu thereof (*Effective July*  
3463 *1, 2009*):

3464 (h) Not later than July 1, 2006, the Office of Policy and Management  
3465 shall, within available appropriations, develop a protocol requiring  
3466 state contracts for programs aimed at reducing poverty for children  
3467 and families to include performance-based standards and outcome

measures related to the child poverty reduction goal specified in subsection (a) of this section. Not later than July 1, 2007, the Office of Policy and Management shall, within available appropriations, require such state contracts to include such performance-based standards and outcome measures. [The Secretary of the Office of Policy and Management may consult with the Commission on Children to identify academic, private and other available funding sources and may accept and utilize funds from private and public sources to implement the provisions of this section.]

Sec. 75. Sections 2-120, 2-121, 2-122, 16-2a, 17a-317, 17b-420, 38a-1040 to 38a-1050, inclusive, 46a-1 to 46a-6, inclusive, 46a-126 to 46a-131a, inclusive, and 48-50 to 48-57, inclusive, of the general statutes are repealed. (*Effective July 1, 2009*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	4-5
Sec. 2	<i>July 1, 2009</i>	New section
Sec. 3	<i>July 1, 2009</i>	New section
Sec. 4	<i>July 1, 2009</i>	1-84b(c)
Sec. 5	<i>July 1, 2009</i>	4d-2(d)
Sec. 6	<i>July 1, 2009</i>	16-6a
Sec. 7	<i>July 1, 2009</i>	16-18a
Sec. 8	<i>July 1, 2009</i>	16-19d(c)
Sec. 9	<i>July 1, 2009</i>	16-19cc(a)
Sec. 10	<i>July 1, 2009</i>	16-19kk(d)
Sec. 11	<i>July 1, 2009</i>	16-25a
Sec. 12	<i>July 1, 2009</i>	16-48a
Sec. 13	<i>July 1, 2009</i>	16-49
Sec. 14	<i>July 1, 2009</i>	16-243r
Sec. 15	<i>July 1, 2009</i>	16-244c
Sec. 16	<i>July 1, 2009</i>	16-244d
Sec. 17	<i>July 1, 2009</i>	16-244f(b)
Sec. 18	<i>July 1, 2009</i>	16-244g(c)
Sec. 19	<i>July 1, 2009</i>	16-245m(c)
Sec. 20	<i>July 1, 2009</i>	16-245n(e) and (f)

Sec. 21	July 1, 2009	16-245u(b)
Sec. 22	July 1, 2009	16-245x
Sec. 23	July 1, 2009	16-247g(h)
Sec. 24	July 1, 2009	16-247o(a)
Sec. 25	July 1, 2009	16-247q
Sec. 26	July 1, 2009	16-262w(a)
Sec. 27	July 1, 2009	16-331(f)
Sec. 28	July 1, 2009	16-331a(h)
Sec. 29	July 1, 2009	16-331e(d)
Sec. 30	July 1, 2009	16-331p(e)
Sec. 31	July 1, 2009	16a-3(a)
Sec. 32	July 1, 2009	16a-3b(b)
Sec. 33	July 1, 2009	16a-41b(a)
Sec. 34	July 1, 2009	25-32i
Sec. 35	July 1, 2009	52-259a(a)
Sec. 36	July 1, 2009	2c-2b
Sec. 37	July 1, 2009	4-9a
Sec. 38	July 1, 2009	3-123aa
Sec. 39	July 1, 2009	4-61t
Sec. 40	July 1, 2009	4-67x(a)
Sec. 41	July 1, 2009	4-124bb
Sec. 42	July 1, 2009	7-127c(d)
Sec. 43	July 1, 2009	8-132
Sec. 44	July 1, 2009	10-16n(c)
Sec. 45	July 1, 2009	10-145a(b)
Sec. 46	July 1, 2009	10-16s(b)
Sec. 47	July 1, 2009	10-16v
Sec. 48	July 1, 2009	17a-56a
Sec. 49	July 1, 2009	17a-219c
Sec. 50	July 1, 2009	17b-28
Sec. 51	July 1, 2009	17b-297
Sec. 52	July 1, 2009	17b-338
Sec. 53	July 1, 2009	17b-367
Sec. 54	July 1, 2009	17b-748
Sec. 55	July 1, 2009	19a-4j
Sec. 56	July 1, 2009	19a-6g(a)
Sec. 57	July 1, 2009	19a-59c
Sec. 58	July 1, 2009	19a-112a(a)
Sec. 59	July 1, 2009	19a-125
Sec. 60	July 1, 2009	31-3g(d)



Sec. 61	<i>July 1, 2009</i>	31-3cc
Sec. 62	<i>July 1, 2009</i>	38a-47
Sec. 63	<i>July 1, 2009</i>	38a-48
Sec. 64	<i>July 1, 2009</i>	38a-478m(c)
Sec. 65	<i>July 1, 2009</i>	38a-479ee
Sec. 66	<i>July 1, 2009</i>	38a-479ff
Sec. 67	<i>July 1, 2009</i>	38a-1051
Sec. 68	<i>July 1, 2009</i>	46a-68(b)
Sec. 69	<i>July 1, 2009</i>	46a-170
Sec. 70	<i>July 1, 2009</i>	46b-69c
Sec. 71	<i>July 1, 2009</i>	46b-215a
Sec. 72	<i>July 1, 2009</i>	51-10c
Sec. 73	<i>July 1, 2009</i>	54-1m
Sec. 74	<i>July 1, 2009</i>	4-67x(h)
Sec. 75	<i>July 1, 2009</i>	Repealer section

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*